SENATE.

WEDNESDAY, *April 24, 1912.*

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. MCCUMBER and by unanimous consent, the further reading was dispensed with and the Journal was approved.

LAND AT CORSICANA, TEX.

Mr. CULBERSON. Mr. President, at the top of page 5467 of the RECORD this morning it reads:

Mr. CULBERSON, from the Committee on Public Lands—

Reported House bill 12013. I did not represent myself as a member of that committee. I am not a member of it. I did not speak for the committee. I ask that the change may be made to comport with the fact. As a Member of the Senate I asked that a certain order be entered, which was entered, but I did not represent myself as a member of the Committee on Public Lands or attempt to speak for the committee.

The VICE PRESIDENT. The correction will be made as requested.

Mr. SMOOT. I should like to ask the Senator if it has not been the general rule in the past, where any public lands have been disposed of, that the bill has gone to the Committee on Public Lands?

Mr. CULBERSON. I think not in a case of this kind. The bill simply authorizes the Secretary of the Treasury to convey to the city of Corsicana, Tex., certain land for alley purposes in connection with the purchase of a site for a public building in that city. The usual course is to refer such bills, since I have been in the Senate, at least, to the Committee on Public Buildings and Grounds and not to the Committee on Public Lands.

Mr. SMOOT. Mr. President, I want to call the Senator's attention to the fact that there are a great many of such bills that do go to the Committee on Public Lands. I have no objection to this bill going to the Committee on Public Buildings and Grounds, but I simply say that many of them have been passed on by the Public Lands Committee, and I wondered whether it was the rule of the Senate or whether it was simply to be made an exception.

Mr. CULBERSON. As far as I know, there is no rule of the Senate on the subject; it is merely the practice, in my experience, to refer such bills to the Committee on Public Buildings and Grounds, which passes upon the purchase of the site and the construction of the building.

Mr. SMOOT. I ask the Senator from Texas if it is true that we have any public lands in Texas?

Mr. CULBERSON. None whatever.

Mr. HEYBURN. I was rising to that point. We have none there.

Mr. CULBERSON. Absolutely none. The State retained, when it entered into the Union, all the public domain within its limits belonging to the Republic of Texas originally.

Mr. SMOOT. That is as I understood it. This is land in Texas which was purchased by the Government for the purpose——

Mr. CULBERSON. Of erecting a public building.

Mr. SMOOT. For a public building?

Mr. CULBERSON. That is all.

Mr. SMOOT. And the bill proposes to transfer an alley or a part of an alley?

Mr. CULBERSON. It authorizes the Secretary of the Treasury to transfer to the city of Corsicana an alley for certain purposes.

Mr. SHIVELY. Mr. President, in confirmation of the view of the Senator from Texas, I think it is only a few weeks ago that there came before the Senate the question of the reference of a bill providing for the purchase of additional land for a life-saving station—that is, to enlarge the site—and it was then held that the proper reference was to the Committee on Commerce rather than to any other committee. This seems to be precisely analogous to that case.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House insists upon its amendment to the bill (S. 405) authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands, disagreed to by the Senate, agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. STEPHENS of Texas, Mr. FERRIS, and Mr. BURKE of South Dakota managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the bill (H. R. 18336) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of sundry citizens of Gorham, Me., praying for the enactment of legislation providing for the purchase and control by the Government of the express companies of the country, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Central Labor Union of Arecibo, P. R., praying for the enactment of legislation to create a department of agriculture and labor in that Territory, which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a petition of Quinsigamond Valley Lodge, Independent Order of Good Templars, of Worcester, Mass., and a petition of the Scandinavian Lake Association (Inc.), of Shrevesburg, Mass., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which were referred to the Committee on the Judiciary.

Mr. BACON. I present resolutions adopted by the organization of the Brotherhood of Locomotive Engineers at Augusta, Ga., which they ask may be presented to the Senate as a memorial. The memorial is short, and I ask that it be read. It is on the subject of the employees' compensation act, I will state.

There being no objection, the resolutions were read and ordered to lie on the table, as follows:

Resolved by Lodge 717, Irvin Division of the Brotherhood of Locomotive Engineers, at Augusta, Ga., That we are opposed to the passage of the bill now pending before the Congress of the United States, known as the employees' compensation act, for the following, among many other, reasons:

1. Under existing laws employees of railroad companies can have resort to the same tribunal established by law for other litigants, and in the end obtain substantial justice, and there is no sufficient reason why a new tribunal should be established and new methods of procedure adopted for such employees.

2. Because the enactment of said bill would not diminish the delays and difficulties in the way of said employees in obtaining what they are entitled to for injuries.

3. Because said bill clothes the adjuster with power, which if it is abused, and this might be the case, could be used with great injustice to said employees.

4. Because said bill limits the extent of the recoveries.

5. Because the recoveries allowed by said bill are too small and put a cheap price upon labor and the lives and limbs of laboring people.

Resolved further, That our secretary furnish copies of the foregoing resolution to the Hon. H. M. Stanley, commissioner of commerce and labor for the State of Georgia, and the Hon. A. O. BACON and the Hon. HOKE SMITH, Senators from the State of Georgia, with the request that they present this as our memorial to the Senate of the United States; and the Hon. THOMAS W. HARDWICK, Representative in Congress from this congressional district, and that he present this our memorial to the House of Representatives, and that our said Senators and Representatives are respectfully urged to oppose the passage of said bill.

Witness the hand of the secretary and the official seal.

[SEAL.] J. L. BEARDEN.

Mr. CULLOM presented memorials of sundry members of the Illinois Federation of Women's Clubs, residents of Chicago, Ill., remonstrating against a reduction in the appropriation for the maintenance of the Forest Service, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Pekin Camp, No. 25, Department of Illinois, United Spanish War Veterans, of Pekin, Ill., praying for the enactment of legislation to pension widow and minor children of any officer or enlisted man who served in the War with Spain or the Philippine insurrection, which was referred to the Committee on Pensions.

He also presented a memorial of Local Union No. 117, Bartenders' Union, of Belleville, Ill., remonstrating against the enactment of legislation governing the granting of licenses for barrooms in the District of Columbia, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Bradley and Fairbury, in the State of Illinois, remonstrating against the establishment of a department of public health, which were ordered to lie on the table.

He also presented a petition of the congregation of the Park Street Congregational Church, of Mazon, Ill., and a petition of sundry citizens of New Boston, Ill., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mr. LIPPITT. I present a resolution adopted by the Legislature of the State of Rhode Island, and approved by the governor, relative to the Federal inspection of seagoing barges. I ask that the resolution be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

STATE OF RHODE ISLAND, ETC.,
IN GENERAL ASSEMBLY,
January session, A. D. 1912.

Resolution recommending to Congress the passage of House bill No. 17731, providing for the Federal inspection of seagoing barges.

Whereas there has been introduced in the House of Representatives of the United States House bill No. 17731, providing for the Federal inspection of all seagoing barges of 100 gross tons or over, and providing for the issuance of a certificate of inspection wherever such barges are found to be suitably equipped and in proper seaworthy condition; and

Whereas the loss of life along the shores of the State of Rhode Island is much increased by the operation of unseaworthy barges, which are in many cases without lifeboats, anchors, cables, or life preservers: Therefore be it

Resolved, That the General Assembly of the State of Rhode Island heartily approves of the provisions of said bill and respectfully requests our Senators and Representatives in Congress to urge the passage of said bill, and the secretary of state is hereby instructed to send a copy of this resolution to the Senators and Representatives in Congress from Rhode Island.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence, April 13, 1912.

I hereby certify the foregoing to be a true copy of the original resolution approved by his excellency the governor on the 10th day of April, A. D. 1912.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid the date first above written.

[SEAL.] J. FRED PARKER,
Secretary of State.

Mr. LIPPITT presented a petition of the Blackstone Valley Building Trades Council, of Pawtucket, R. I., and a petition of members of the Rhode Island State Conference, Brotherhood of Painters, Decorators, and Paper Hangers of America, praying for the passage of the so-called employers' liability and workmen's compensation bill, which were ordered to lie on the table.

He also presented a petition of Central Grange, No. 34, Patrons of Husbandry, of Apponaug, R. I., praying for the establishment of a parcel-post system and remonstrating against the enactment of legislation to permit the coloring of oleomargarine in imitation of butter, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Wickford, Portsmouth, and East Greenwich, all in the State of Rhode Island, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. WORKS. I present four petitions containing 97 signatures of citizens of California, remonstrating against the Owen medical bill. A short letter accompanies the petitions. I ask that the petitions and letter lie on the table, and that the letter be printed in the RECORD.

There being no objection, the petitions were ordered to lie on the table, and the letter was ordered to be printed in the RECORD, as follows:

LOS ANGELES, CAL., *April 19, 1912.*

Senator JOHN D. WORKS,
Senate Chamber, Washington, D. C.

DEAR SENATOR WORKS: We are inclosing herewith four petitions containing 97 signatures of persons protesting against the Owen bill. Will you kindly add these sheets to those already forwarded to you? This will make a total of 10,030 signatures on petitions forwarded to you from the Southern California Branch of the League.

Cordially, yours,
THE SOUTHERN CALIFORNIA BRANCH OF THE
NATIONAL LEAGUE FOR MEDICAL FREEDOM,
FLORENCE W. SAUNDERS,
Assistant Secretary Local Committee.

Mr. JONES. I have several telegrams and letters in the nature of memorials protesting against the Owen public-health bill. First, I should like to have the names noted in the RECORD and to have the first telegram, which is short, printed in the RECORD without reading.

There being no objection, the memorials and telegrams were ordered to lie on the table and the telegram and signatures to the memorials ordered to be printed in the RECORD, as follows:

ABERDEEN, WASH., *April 23, 1912.*

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.:

The national health bill is not for the best interest of the people, is unprogressive, is class legislation, will lead to personal bondage and tyranny. We protest against the Owen bill in any form.

CARYLL T. SMITH.
B. F. CAUTHORN.
A. W. BARKLEY.
A. L. DAVENPORT.
J. J. CARNEY.
JOHN B. ORTON.
F. W. LOOMIS.
J. W. CLARK.
E. C. MILLER.
JAY D. CRARY.
H. N. ANDERSON.

From Edwin E. Elstone, of Seattle, Wash.; the National League for Medical Freedom, of Seattle, Wash.; James A. Sexton Post, No. 103, Grand Army of the Republic, of Seattle, Wash.; Herbert E. Coe, secretary-treasurer, King County Medical Society, of Seattle, Wash.; Edward A. Beekman, of North Yakima, Wash.; Ashley B. Palmer, M. D., president, and C. P. Bryant, M. D., secretary, Homeopathic Medical Society of Seattle, Wash.; H. T. Fowler, of Everett, Wash.; E. B. Kromey and O. B. Kromey, chiropractors and naturopaths, of North Yakima, Wash.; Homer Gray, of North Yakima, Wash.; the Zediker Institute of Drugless Healing, of North Yakima, Wash.; Lewis G. Bech, of Everett, Wash.; and Samuel A. Sizer, of Seattle, Wash.

Mr. JONES. I have also a letter with reference to the homestead conditions in the several instances in connection with difficulties in taking up lands in the West. I should like to have the letter printed in the RECORD, without reading, and referred to the Committee on Public Lands.

There being no objection, the letter was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

SPOKANE, WASH., *April 16, 1912.*

Hon. WESLEY L. JONES,
Washington, D. C.

DEAR SIR: Homesteading conditions here are not as they have been in the Middle States and Columbia River Valley. Most homesteads are now among the foothills and mountains. The land is usually covered with the poorer kinds of forest trees, the valuable timber having been taken by squatters. It is difficult to clear land of this character, and when it is ready for the plow it must be stirred and exposed to the atmosphere a year or two before crops can be raised. I have been told that this is on account of the turpentine in the soil. In Eastern and Middle States, where hardwood timber prevailed, or on the prairie, crops were grown the first year of seed sowing.

The following facts relate to homesteaders who have lived in the north half of township 35 north, range 41 west, Willamette meridian, in the State of Washington. Incidents occurred during the past two years:

A mother and four small children alone all winter. Husband obliged to be 300 miles away at work. Nearest neighbor a widow with young daughter. Three feet of snow, 4 miles of poor road or trail to country post office, and 18 miles to a physician.

A man, wife, and baby girl from New England spent two years finding a homestead. Made wagon trip 100 miles with family; built cabin; made other improvements; remained about a year. Hardship of winter and prospect of four years more too much for the mother, and they gave up.

Fine elderly man left invalid wife in Pennsylvania and came here to homestead, hoping to be able to secure a home for them in old age. Lived on his claim about four years, making many improvements preparatory to bringing his wife. Last fall, sick himself and disheartened at the prospect of still another winter alone, he sold relinquishment for less than $100 and went away heartbroken. He had spent years at hard work and received nothing for it. If he had been on Canadian land he would have had title and could have arranged to keep his home.

An industrious Italian, with wife and family, after holding homestead about three years spent summer and fall working for winter "grub stake" on a State road. Contractor failed. Worry over approaching winter and no food supply was too much for him, and he was sent to an insane asylum. The new law permitting five months' absence would have made his burden much lighter.

Man with family from St. Louis filed on land, built a good cabin, cleared considerable land, but he was poor and she did not dare remain alone with children. They gave up because of the prospect of five years and no chance to get away to earn food.

Man and wife with family of five small children moved on a homestead in early spring. Deep snow and only a tent. Remained four years, husband necessarily absent to earn food. Wife became so nearly insane she imagined she heard voices about her in the forest. Finally the husband remained at home to care for the children and she spent last winter in Spokane scrubbing and washing and sending the family money to live on.

Many other similar instances could be given in the history of this new township where unreasonable hardship has been suffered by homesteaders. These people, and thousands of others similarly situated, are depending upon you to use every influence in your power to get prompt and favorable action upon the new homestead bill. The measure is humane and reasonable and ought by all means to become a law at once.

Respectfully,
F. C. VAN DE WALKER.

Mr. KERN. I have a letter from a distinguished citizen, former Attorney General of the United States, on the subject of the prevailing speed mania resulting so disastrously. I ask that the letter be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the letter was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

INDIANAPOLIS, *April 19, 1912.*

Hon. JOHN W. KERN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The appalling results of the speed mania which seems to possess the world are full of suggestion. It is not merely upon the sea that this mania needs to be curbed; and it is in the power of the Congress of the United States, and only of the Congress of the United States, to curb it so far as our railroads are concerned. One scarcely picks up a newspaper without reading of some railroad accident caused by this mania. Of course, so far as trolley lines, which are generally intrastate, and automobiles are concerned, they are beyond the jurisdiction generally of Congress; but, so far as the great trunk line railroads doing an interstate business are concerned, it is entirely competent and, in my judgment, it is the duty of Congress to legislate in such a way as to put a stop to the unnecessarily and unreasonably high rates of speed, which can not be done and will not be done by any of these great corporations themselves.

If the New York Central lines put on an 18-hour train from Chicago to New York, the Pennsylvania and other lines find in that an excuse and apparent necessity for doing the same thing, and vice versa.

I may say that it is ordinarily more important that travelers shall know the time of their arrival at their destination than that a part of the time a few hours be saved on a long journey; and it is a matter of common knowledge that a very large per cent of the fast trains do not and can not maintain their schedules.

It seems to me, therefore, that you can not render to your country a greater service than not only to assist in the legislation touching the manifestation of this craze for speed upon the water, but likewise upon the land, and as one of your constituents I ask you to do it.

Very truly, yours,

W. H. H. MILLER.

Mr. McLEAN presented petitions of sundry citizens of Woodbury, Hartford, New Haven, Norwich, Danbury, and Bridgeport, all in the State of Connecticut, praying that an appropriation be made for the construction of a highway from Washington, D. C., to Gettysburg, Pa., as a memorial to Abraham Lincoln, which were referred to the Committee on Appropriations.

He also presented a petition of the Business Men's Association of Waterbury, Conn., praying for the adoption of 1-cent letter postage, which was referred to the Committee on Post Offices and Post Roads.

Mr. WETMORE presented a petition of members of the faculty of the Technical High School of Providence, R. I., praying for the enactment of legislation providing for vocational education, which was ordered to lie on the table.

He also presented a memorial of 26 citizens of Newport, R. I., remonstrating against the enforcement of the so-called Taylor system of shop management in navy yards, which was referred to the Committee on Naval Affairs.

REPORTS OF COMMITTEES.

Mr. JONES, from the Committee on Public Lands, to which was referred the bill (S. 3638) for the relief of Norton P. Chipman, submitted an adverse report (No. 654) thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the Committee on Claims, to which were referred the following bills, submitted adverse reports thereon, which were agreed to, and the bills were postponed indefinitely:

S. 3909. A bill for the relief of John O. Nelson (Rept. No. 655);

S. 2559. A bill for the relief of L. L. Scherer (Rept. No. 656); and

S. 3758. A bill for the relief of Paul G. Morgan (Rept. No. 657).

UNINCORPORATED JOINT-STOCK ASSOCIATIONS.

Mr. RAYNER. Mr. President, I desire to introduce a bill and to have it read. After it is read I wish to submit just a few remarks to the Senate upon it.

The bill (S. 6495) to amend the law in reference to suits and prosecutions against unincorporated joint-stock associations was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That whenever in any proceeding, civil or criminal, under any act of Congress, it shall be ascertained that the defendant or any party to the proceeding is a joint-stock association and has not been chartered or incorporated, it shall be sufficient to describe the said defendant or the said party to the proceeding by the name by which it is usually known or under which it transacts its business, and it shall not be necessary to name or designate the individuals who comprise the said association; and all indictments that may be found against any such joint-stock association shall be sufficient, if otherwise valid, if they designate the defendant as a joint-stock association, by the name by which it is usually known or under which it transacts its business, without setting forth the names of the individuals who compose it or the names of the stockholders thereof.

Mr. RAYNER. Mr. President, I want just a moment or two to call the attention of the Senate to the bill, because I consider it one of grave importance, before it goes to the Committee on Interstate Commerce. There was a decision in one of the Federal circuits last week that the Adams Express Co. is not indictable because it is neither a corporation nor an individual. I am not criticizing that decision. I merely want to read a reference to the decision, which appeared in the Washington Post:

The decision rendered by Federal Judge Hollister declaring that the Interstate Commerce Commission has no regulative jurisdiction over express companies looks to be, at first blush, as hard a facer for the Government as the recent Supreme Court ruling upholding the monopoly clause in the patent laws. Judge Hollister finds that an indictment against the Adams Express Co. on the ground of overcharging is invalid for the reason that the company is neither an individual nor a corporation, but a stock association, and that it would be necessary to proceed against its 10,000 stockholders in order to secure its indictment. The interstate-commerce laws, it seems, fail to take cognizance of other than corporations and individuals, and should Judge Hollister's decision stand, the recent investigation of the express companies, which revealed a maze of alleged infractions of the laws, comes to nothing.

Mr. President, I am not prepared to say whether Judge Hollister is right or wrong. I am inclined to think he is right. The Adams Express Co., which, in my judgment, is one of the most oppressive monopolies in the land, has been defying the law for a long time. It is not a corporation, but it is a joint-stock association, and therefore it does not come under the definition of a corporation, and in order to sue it at common law you would have to sue all its stockholders.

We had the same trouble in Maryland. We sued the Adams Express Co. over and over again as a corporation. Then we sued it by the name under which it transacted its business. The courts held in every instance that it was not suable. We could not sue the company and could not indict the company, and there it stands absolute proof against the interstate-commerce law, unless we change the law.

In Maryland we had to change the law, and we adopted a provision of this sort. This statute was passed in Maryland, which is to overcome the objections that the Adams Express Co. made to every suit that was brought against it, civil or criminal:

It shall be sufficient in any suit, pleading, or process, either at law or in equity, or before any justice of the peace, by or against any joint-stock company or association, to describe the said joint-stock company or association by the name or title by which it is commonly known, or by or under which its business is transacted.

Now, this law, unfortunately, was changed in Maryland afterwards, and I think the subsequent law is not an improvement upon that law. But I introduced the bill, and I have just risen to direct the attention of the Interstate Commerce Committee to it, for the purpose of remedying the objection that arises under this decision, which has really made this company unanswerable to the civil or criminal process of this land.

The VICE PRESIDENT. The bill will be referred to the Committee on the Judiciary.

Mr. RAYNER. I ask its reference to the Committee on Interstate Commerce. I think it belongs there.

The VICE PRESIDENT. Without objection, the reference will be to the Committee on Interstate Commerce.

SAFETY OF LIFE AT SEA.

Mr. McCUMBER. I send to the desk a bill, which I ask may be printed in the RECORD, and as the bill is the result of the work of the New York State mayors' conference, I would ask that the letter which explains it may be read and printed. It is short.

The bill (S. 6496) for the protection of passengers on ocean vessels was read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That hereafter no vessel of over 5,000 tons gross tonnage shall be cleared with passengers from any port in the United States unless there shall have been advertised and printed on each ticket issued for passage on such vessel the number of passengers that she is licensed to carry, the number of persons usually composing her crew, and the total number of persons for whom she purports to be provided with life-saving facilities capable of keeping human beings afloat entirely above water for a reasonable time in ordinary weather.

The VICE PRESIDENT. Without objection, the Secretary will read the letter.

The letter was read and referred to the Committee on Commerce, as follows:

NEW YORK STATE MAYORS' CONFERENCE,
OFFICE OF THE SECRETARY,
105 East Twenty-second Street, New York City, April 22, 1912.

Hon. P. J. McCUMBER,
United States Senate, Washington, D. C.

MY DEAR SIR: I learn that Congress has referred to various committees many bills prepared with a view to remedying the conditions disclosed by the *Titanic* disaster.

Without any exception known to me, these bills are designed to change existing laws specifying the character or number of life-saving appliances on passenger vessels leaving our ports.

There appears to be slight probability of any of these bills being enacted for some weeks or months to come.

In view of these facts, a group of citizens in this city have caused, with expert advice, the preparation of the following short bill, capable of immediate enactment and laying upon no one any unreasonable burden whatever:

"Whereas much time must elapse before any well-considered governmental or intergovernmental change can be effected in laws requiring life-saving facilities on ocean passenger vessels: Therefore

"Be it enacted, etc., That hereafter no vessel of over 5,000 tons gross tonnage shall be cleared with passengers from any port in this country, unless there shall have been advertised and printed on each ticket issued for passage on her the number of passengers that she is licensed to carry, the number of persons usually composing her crew, and the total number of persons for whom she purports to be provided with life-saving facilities capable of keeping human beings afloat entirely above water for a reasonable time in ordinary weather."

An earlier and slightly different form of this measure is now being urged upon their respective Members of Congress by the mayors of the largest cities throughout the country, including the mayors of 41 of the 49 cities in New York State and the following outside this State:

Hon. James H. Preston, mayor of Baltimore, Md.
Hon. Clifford B. Wilson, mayor of Bridgeport, Conn.
Hon. Jacob Haussling, mayor of Newark, N. J.
Hon. Rudolph Blankenburg, mayor of Philadelphia, Pa.
Hon. Ira W. Stratton, mayor of Reading, Pa.
Hon. John Von Bergen, jr., mayor of Scranton, Pa.
Hon. Frederick W. Donnelly, mayor of Trenton, N. J.
Hon. Frank W. Rockurn, mayor of Akron, Ohio.
Hon. John F. Fitzgerald, mayor of Boston, Mass.
Hon. Michael A. Scanlon, mayor of Lawrence, Mass.
Hon. George N. Seger, mayor of Passaic, N. J.
Hon. S. P. Seifert, mayor of Roanoke, Va.
Hon. Joseph D. Smith, mayor of Wilmington, N. C.

It is the belief here that publicity stimulates self interest swiftly, and is therefore more likely to prove speedily effective than slowly stringent legislation, which will undoubtedly be enacted later. It is also the belief that such a law as proposed in this letter would slacken public clamor, which must hamper lines in an effort to do their best.

On behalf of the municipal executives who are urging the enactment of a law in which these ideas are incorporated, and on behalf also of the group of New Yorkers who believe that the immediate enactment of such legislation would at once stimulate the lines to devote to life-saving facilities time, talent, and money heretofore expended on bulkhead devices and luxurious fittings, I ask that you seriously consider either the speedy introduction of such a measure or, in case any bill of similar character has already been introduced, a motion so as to amend such bill that it may substantially conform to the ideas expressed in the bill above set forth.

Very truly, yours, W. P. CAPES, *Secretary.*

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McLEAN:

A bill (S. 6497) to protect migratory game and insectivorous birds in the United States; to the Committee on Forest Reservations and the Protection of Game.

A bill (S. 6498) granting an increase of pension to Mary M. Culver (with accompanying paper); to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 6499) to provide for the disposition of military posts and reservations no longer required for the use of the Army, and for other purposes; to the Committee on Military Affairs.

By Mr. GALLINGER:

A bill (S. 6500) to provide for the grading and improving of Minnesota Avenue NE. from East Capitol Street to Hunt Place, Benning subdivision of the District of Columbia; to the Committee on the District of Columbia.

By Mr. FALL:

A bill (S. 6501) to amend section 13 of the act of June 20, 1910, being "An act to enable the people of New Mexico to form a State government," etc., and providing for two in lieu of one judicial districts in New Mexico; to the Committee on the Judiciary.

By Mr. WARREN:

A bill (S. 6502) authorizing the Secretary of the Interior to set aside certain lands to be used as a sanitarium by the Order of Owls; to the Committee on Public Lands.

By Mr. JOHNSTON of Alabama:

A bill (S. 6503) authorizing and directing the Secretary of War to accept the title to 4,000 acres of land at or near Anniston, Ala., for the purpose of establishing maneuver camps, rifle and artillery ranges, etc.; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 6504) granting to the State of Oregon the lands now covered by the waters of certain unnavigable inland lakes; to the Committee on Public Lands.

By Mr. WORKS:

A bill (S. 6505) granting a pension to Thomas F. Mangan (with accompanying paper); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 6506) authorizing the State of California to select public lands in lieu of certain lands granted to it in Imperial County, Cal.; and

A bill (S. 6507) to further assure title to lands granted the several States, in place, in aid of public schools; to the Committee on Public Lands.

By Mr. PERKINS:

A bill (S. 6508) to exempt from cancellation certain desert-land entries in the Chuckawalla Valley, Cal.; to the Committee on Public Lands.

By Mr. LODGE:

A bill (S. 6509) granting a pension to Annie Dougherty; to the Committee on Pensions.

By Mr. BROWN:

A bill (S. 6510) granting an increase of pension to Edward H. Baker (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 6511) granting an increase of pension to P. H. Rundle;

A bill (S. 6512) granting a pension to Rachel N. Gwyn;

A bill (S. 6513) granting an increase of pension to S. Cornwell;

A bill (S. 6514) granting an increase of pension to Mrs. J. K. Fisher;

A bill (S. 6515) granting an increase of pension to James I. Richards;

A bill (S. 6516) granting a pension to Sallie A. Brown;

A bill (S. 6517) granting a pension to Mrs. J. A. McGinnis;

A bill (S. 6518) granting a pension to Charlotte Small;

A bill (S. 6519) granting a pension to Elmira L. Stiles;

A bill (S. 6520) granting a pension to Nancy E. Lamb;

A bill (S. 6521) granting an increase of pension to Hardy H. Hickman;

A bill (S. 6522) granting an increase of pension to Francis M. Chaffin;

A bill (S. 6523) granting an increase of pension to John H. Crabl;

A bill (S. 6524) granting a pension to Margaret Warren;

A bill (S. 6525) granting an increase of pension to Jasper Fleeuer;

A bill (S. 6526) granting an increase of pension to George W. Reed;

A bill (S. 6527) granting an increase of pension to John I. Tucker;

A bill (S. 6528) granting a pension to James Sullivan;

A bill (S. 6529) granting an increase of pension to Richard F. Brunnage (with accompanying paper);

A bill (S. 6530) granting a pension to Margaret Dickson (with accompanying paper);

A bill (S. 6531) granting an increase of pension to John Carr (with accompanying paper);

A bill (S. 6532) granting an increase of pension to Franklin S. Curry (with accompanying papers);

A bill (S. 6533) granting an increase of pension to Francis W. Thayer (with accompanying papers);

A bill (S. 6534) granting an increase of pension to Jennie Ashley (with accompanying papers);

A bill (S. 6535) granting an increase of pension to John P. T. Davis (with accompanying paper); and

A bill (S. 6536) granting an increase of pension to J. J. Williams (with accompanying paper); to the Committee on Pensions.

By Mr. GUGGENHEIM (by request):

A bill (S. 6537) for the relief of Catherine Maroney; to the Committee on the District of Columbia.

Mr. PERCY. I present a joint resolution and ask that it be read and referred to the Committee on Commerce.

The joint resolution (S. J. Res. 102) relative to the rebuilding of certain levees on the Mississippi River and its tributaries was read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Whereas numerous crevasses have occurred in the levees on the Mississippi River which have been constructed in whole or in part by the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river; and

Whereas it is imperatively necessary that the crevasses be closed before the June rise in said river; and

Whereas the House of Representatives has already passed a river and harbor bill which carries an item of $3,500,000 for the general improvement of said river, for the building of levees, etc., between Head of Passes and Cape Girardeau; and

Whereas it will, in all probability, be several weeks before the appropriations carried in the river and harbor act will become available; and

Whereas this delay will render it impossible for the Secretary of War to close these crevasses before the June rise: Therefore be it

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and directed to rebuild, by contract or otherwise, in accordance with such plans, specifications, and recommendations of the Mississippi River Commission as may be approved by the Chief of Engineers, such portions of the levees on the Mississippi River and its tributaries as may have been or may hereafter be broken by the existing flood in said rivers, and the sum of $1,500,000, or so much thereof as may be necessary, is hereby appropriated for this purpose, out of funds remaining in the Treasury not otherwise appropriated: *Provided*, That the Secretary of War shall keep an account of the actual cost of all work done under the provisions of this resolution, and upon completion of the work he shall report the total cost thereof to the Secretary of the Treasury, and the Secretary of the Treasury shall cause a sum equal to the cost so reported to be deducted from the unexpended balance of appropriations that may hereafter be made for improving Mississippi River from Head of Passes to the mouth of the Ohio River and to be carried to the surplus fund and covered into the Treasury.

REGENT OF SMITHSONIAN INSTITUTION.

Mr. BACON. Mr. President, I send to the desk a joint resolution, for which I ask present consideration. I will state that it relates to the election of a Regent for the Smithsonian Institution. As the basis for the resolution, I also send to the desk, which I ask may be read, a communication from the secretary of the institution addressed to the Vice President.

The VICE PRESIDENT. Without objection the Secretary will read the communication.

The Secretary read as follows:

SMITHSONIAN INSTITUTION,
Washington, U. S. A., April 23, 1912.

The Hon. JAMES S. SHERMAN,
Vice President of the United States, Washington, D. C.

SIR: I have the honor to inform you that a vacancy exists in the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, caused by the expiration of the term of Dr. Andrew D. White, a citizen of New York, appointed under joint resolution of Congress, approved April 23, 1906.

Very respectfully, yours,

CHARLES D. WALCOTT, *Secretary.*

The VICE PRESIDENT. The resolution introduced by the Senator from Georgia will now be read.

The joint resolution (S. J. Res. 101) to appoint Andrew D. White a member of the Board of Regents of the Smithsonian Institution, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution in the class other than Members of Congress shall be filled by the reappointment of Andrew D. White, a citizen of New York.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENTS TO RIVER AND HARBOR BILL (H. R. 21477).

Mr. PERCY. I submit certain amendments intended to be proposed to the river and harbor appropriation bill, which I ask may be read and referred to the Committee on Commerce.

There being no objection, the amendments were read and referred to the Committee on Commerce, as follows:

Amendments intended to be proposed by Mr. PERCY to the bill (H. R. 21477) making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, viz:

Strike out the word "three," on line 23, page 34, of the bill, and substitute therefor the word "six"; and strike out the words "five hundred thousand," on line 24, page 34; and after the word "river," in line 9, page 35, insert "*Provided*, That not less than three and one-half million dollars of said sum shall be expended for the building of levees, and all levee work shall be considered extraordinary emergency work."

On line 20, page 35, after the word "appropriated," insert the following: "*And provided further*, That on and after the passage of this act the Secretary of War may enter into additional contracts for such materials and work as may be necessary to carry on continuously the plans of the Mississippi River Commission as aforesaid, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $12,000,000, exclusive of the amount herein and heretofore appropriated: *Provided further*, That the authorized sum last mentioned shall be used in prosecuting the improvement for not less than two years, beginning July 1, 1913, the work thus done each year to cost approximately $6,000,000."

Mr. NEWLANDS. I submit an amendment intended to be proposed to the river and harbor appropriation bill, which I ask may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the amendment was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. NEWLANDS to the bill (H. R. 21477) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, viz:

Insert the following at the end of section 4:

"That the Secretary of War shall cause the Chief of Engineers of the Army and the Board of Engineers for Rivers and Harbors to report upon the relative importance of the various improvements recommended as worthy of being undertaken by the United States, the order in which the works should be taken up, and the rapidity with which they should be completed, upon methods of standardization by which the waterways of the country may be improved uniformly in proportion to their capacities and to the existing or probable demands of general commerce, and also report upon a systematized scheme of such improvement, involving all waterways, whether heretofore examined and reported upon or not, and the sum of $50,000 is hereby appropriated for such examination and report."

Mr. BOURNE submitted an amendment proposing to appropriate $50,000 for improving Oregon Slough, Oreg., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. HEYBURN submitted an amendment proposing to appropriate $15,000 for an investigation into the best methods of distillation of Douglas fir, etc., intended to be proposed by him to the Agriculture appropriation bill (H. R. 18960), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. TOWNSEND submitted an amendment proposing to appropriate $5,000 for the investigation and improvement of ginseng and the control of diseases and insects detrimental to the growth of the plant, etc., intended to be proposed by him to the Agriculture appropriation bill (H. R. 18960), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. GUGGENHEIM submitted an amendment proposing to appropriate $25,000 for the establishment of a fish-cultural station in the State of Colorado, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Fisheries and ordered to be printed.

THE INTERNATIONAL HARVESTER CO.

Mr. JOHNSTON of Alabama submitted the following resolution (S. Res. 290), which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Attorney General be, and he is hereby, directed to furnish the Senate with copies of the reports of the Secretary of Commerce and Labor and Commissioner of Corporations and instructions of the President concerning the proposed prosecution of the International Harvester Co. of America, made in the year 1907, and showing the facts concerning such proposed prosecution and the reasons for its abandonment.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts and joint resolutions:

On April 18, 1912:

S. 2. An act supplementary to and amendatory of the act entitled "An act for the division of the lands and funds of the Osage Nation of Indians in Oklahoma," approved June 28, 1906, and for other purposes.

On April 19, 1912:

S. J. Res. 87. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Messrs. Humberto Mencia and Juan Dawson, of Salvador; and

S. J. Res. 91. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Mr. Manuel Aguero y Junque, of Cuba.

On April 22, 1912:

S. J. Res. 77. Joint resolution authorizing the Secretary of War to loan certain tents for the use of the Grand Army of the Republic encampment to be held at Pullman, Wash., in June, 1912.

On April 23, 1912:

S. 244. An act extending the operation of the act of June 22, 1910, to coal lands in Alabama; and

S. 5059. An act granting school lands to the State of Louisiana.

On April 24, 1912:

S. 2577. An act authorizing the lease of school lands for public-park purposes by the State of Washington for a longer period than five years.

LAWS OF PORTO RICO (S. DOC. NO. 603).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying document, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

As required by section 31 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to submit herewith copies of the acts and resolutions enacted by the Legislative Assembly of Porto Rico during the sessions beginning January 8 and ending March 14, 1912.

WM. H. TAFT.

THE WHITE HOUSE, *April 24, 1912.*

EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION.

Mr. BRYAN obtained the floor.

The VICE PRESIDENT. The Chair lays before the Senate the bill on which the Senator from Florida gave notice of his desire to-day to address the Senate, the title of which will be stated.

The SECRETARY. A bill (S. 5382) to provide an exclusive remedy and compensation for accidental injuries, resulting in disability or death, to employees of common carriers by railroad engaged in interstate or foreign commerce, or in the District of Columbia, and for other purposes.

Mr. BRYAN. Mr. President, the bill now under consideration is of such vast importance that I presume its provisions have been carefully studied by most Senators. If I thought that I could support this bill, instead of making any argument in its favor I should leave it to those much better qualified, who have given more mature study to the question. My only purpose in speaking at this time is that, being opposed to the bill, I am not sure that I shall be present when action is had upon it, and because I can not support it I think it is due to myself that I state the reasons for my opposition.

Anyone who will examine the record prepared by the commission appointed in pursuance of the resolution to provide an investigation into employers' liability and workmen's compensation must recognize and appreciate the long and patient hearing and careful consideration given to all the various propositions presented. I might go further and say that the commission itself is under obligations to many of those representing

both employers and employees, who, after much study on this question, came before the commission to express views which were well considered and matured. The commission, after its investigation, is of the opinion that the choice of compensation acts and of liability acts, or the proper system to be inaugurated in this country, lies between two methods, namely:

(a) A fund is collected by imposing an assessment in the nature of an insurance premium upon all employers, in accordance with a more or less definite classification, out of which fund, administered under governmental supervision, the injured employees or dependents are paid.

(b) The burden is put upon each employer to compensate his injured employees or their dependents in case of death by paying the amounts fixed directly to the employees or dependents.

The commission correctly state that a type of the first method is perhaps best represented by the system prevailing in Germany, and that the type best represented by the second method is the system prevailing in England. In reaching a conclusion as to the relative merits of these two systems, the commission follow both in part and neither in its entirety. They follow the German method far enough to make the remedy here provided exclusive; they follow the English method far enough to provide a compensation act, but not far enough to continue upon the statute books laws as to negligence under the common-law system and under the employers' liability act in force in England.

Among the reasons why the commission reject the German system are, first, that in Germany for the first 13 weeks of injury a sickness fund is provided, contributed to by employers and employees, but it is supposed that would not be available in this country because our population is considered to be not so stable; the people move about. It seems to me that that objection is to a mere detail. If it be a fact that our people can not be so easily identified, there is nothing fundamental in having, first, a sickness benefit, and then, afterwards, compensation.

It is stated immediately following that in the report of the commission, by way of an objection under the first heading, that this bill deals only with one industry while the German system deals with a great many industries, especially those where hazard may be involved. Well, Mr. President, there was nothing either in the joint resolution or in the authority vested in the commission to limit it in applying this remedy to only one industry. Other industries besides those connected with the transportation of interstate commerce by railroad are dangerous; in fact, it is stated that more dangerous employments are, for instance, mining, carpentering, the steel industry, and even farming, and as this legislation is intended to be a model in the enactment of similar legislation by the States and is intended to cure a defect in our system of administering the relationship between master and servant, if all industrial classes engaged in hazardous employments could have been brought in the benefit would be that much greater.

Another reason for not adopting a system similar to that in Germany is that we have not the data upon which to base legislation. On page 277 of volume 2 of the hearings before the commission, in the brief of Mr. Dawson, are gathered the employments and the insurance of the employers, running from the year 1886 until 1908, and I ask permission to incorporate in my remarks that part of the table covering the years 1902 to 1908.

The PRESIDING OFFICER (Mr. JOHNSON of Maine in the chair). Without objection, the request will be granted.

Mr. BRYAN. I do not insert the whole table, because it is quite lengthy, and the portion I have asked to have inserted will give the idea. In this table employments shown to be more dangerous than railroading, as far as insurance liability could show or tend to show that fact, are agricultural machinery work, beer bottling and shipping concerns, carpentering, flour mills, furniture factories, powder factories, sawmills, and shipbuilding plants.

The table referred to is as follows:

Rates in Germany—Insurance of employers in mutual funds.

* * * * * * *

	1902	1903	1904	1905	1906	1907	1908
Agricultural-machinery works	2.03	2.07	1.99	2.02	1.87	1.84	2.11
Beer-bottling and shipping concerns	1.80	1.77	1.73	1.71	1.70	1.77	1.89
Carpentry (general contract)	2.47	2.37	2.29	2.18	2.03	2.14	2.32
Carpet factories	.98	1.00	1.04	1.08	1.08	1.04	1.12
Carriage factories	1.42	1.45	1.20	1.21	1.12	1.11	.84
Dyeing establishments (power)	1.14	1.17	1.27	1.32	1.31	1.28	1.36
Flour mills (steam power)	3.31	3.48	3.53	3.57	3.64	3.43	3.66
Furniture factories (wood)	2.14	2.07	1.95	2.00	1.91	1.89	1.93
Metal pressing, stamping, etc	.64	.66	.77	.80	.82	.83	.88
Paint factories (color factories)	1.58	1.61	1.71	1.72	1.68	1.62	1.70
Paper hanging	.49	.47	.46	.44	.41	.43	.48
Powder factories (black)	4.34	4.44	4.05	4.09	4.00	3.84	4.04
Railways (steam)	1.81	1.89	1.83	1.84	1.82	1.76	1.82
Sawmills	4.28	4.32	4.07	4.19	3.99	3.95	4.19
Sewing-machine factories	.38	.40	.39	.39	.37	.33	.35
Shipbuilding plants	2.64	2.69	2.59	2.63	2.43	2.40	2.74

Mr. BRYAN. There is rather an interesting statement, selected from statistics, on page 669 of the report of the commission, which is most surprising to everyone, I imagine, who has not given this subject considerable study. There it is said:

During the past 10 years we have had two wars, the Spanish and the Philippine, and the aggregate loss of killed and wounded in the two was less than 6,000 men, while the number killed and wounded in our industrial army during the same period, according to lowest estimates, was more than 5,000,000; that is, for every man killed or wounded in war "victories of peace" have cost us 875 men killed and wounded.

The six bloodiest battles of the Civil War were Gettysburg, Spottsylvania, Wilderness, Antietam, Chancellorsville, and Chickamauga. The total number of killed, wounded, and missing in these six battles aggregated less than 105,000 men, while the number killed and injured upon our railways during the year ending June 30, 1906, was 108,324. (Tolman.)

Mr. President, if a system could be devised which would take within its scope these other classes in dangerous employments, I believe that everybody would admit that it would be that much more desirable. The data furnished here, together with the information gathered in this country, it seems to me, ought to furnish enough information as that we ought not to say that we are incapable, from lack of information, of dealing with this subject. I ask permission to incorporate in my remarks, without reading, two tables found on page 284 of the Statistical Abstract for the year 1910.

The PRESIDING OFFICER. Without objection, it is so ordered.

The tables referred to are as follows:

Railroad accidents: Number of employees, passengers, and other persons killed, and number injured, 1891 to 1909.

[From the statistical reports of the Interstate Commerce Commission.]

Year ended June 30—	Employees.		Passengers.		Other persons.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
1891	2,660	26,140	293	2,972	4,076	4,769	7,029	33,881
1892	2,554	28,267	376	3,227	4,217	5,158	7,147	36,652
1893	2,727	31,729	299	3,229	4,320	5,435	7,346	40,393
1894	1,823	23,422	324	3,034	4,300	5,433	6,447	31,889
1895	1,811	25,696	170	2,375	4,155	5,677	6,136	33,748
1896	1,861	29,969	181	2,873	4,406	5,845	6,448	38,687
1897	1,693	27,667	222	2,795	4,522	6,269	6,437	36,731
1898	1,958	31,761	221	2,945	4,680	6,176	6,859	40,882
1899	2,210	34,923	239	3,442	4,674	6,255	7,123	44,620
1900	2,550	39,643	249	4,128	5,066	6,549	7,865	50,320
1901	2,675	41,142	282	4,988	5,498	7,209	8,455	53,339
1902	2,969	50,524	345	6,683	5,274	7,455	8,588	64,662
1903	3,606	60,481	355	8,231	5,879	7,841	9,840	76,553
1904	3,632	67,067	441	9,111	5,973	7,977	10,046	84,155
1905	3,361	66,833	537	10,457	5,805	8,718	9,703	86,008
1906	3,929	76,701	359	10,764	6,330	10,241	10,618	97,706
1907	4,534	87,644	610	13,041	6,695	10,331	11,839	111,016
1908[1]	3,405	82,487	581	11,556	6,402	10,187	10,188	104,230
1909[1]	2,610	75,006	253	10,311	5,859	10,309	8,722	95,626

[1] Excludes accidents reported by switching and terminal companies.

Railroad accidents: Number of employees, trainmen, and passengers for one killed and number for one injured, 1891 to 1909.

[From the statistical reports of the Interstate Commerce Commission.]

Year ended June 30—	Number of employees for one—		Number of trainmen for one—		Number of passengers for one—	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
1891	296	30	104	10	1,811,642	178,604
1892	322	29	113	10	1,491,910	173,833
1893	320	28	115	10	1,985,153	183,822
1894	428	33	156	12	1,668,791	178,210
1895	433	31	155	11	2,984,832	213,651
1896	444	28	152	10	2,827,474	178,132
1897	486	30	165	12	2,204,708	175,115
1898	447	28	150	11	2,267,270	170,141
1899	420	27	155	11	2,189,023	151,998
1900	399	26	137	11	2,316,591	139,736
1901	400	26	136	13	2,153,469	121,748
1902	401	24	135	10	1,883,706	97,244
1903	364	22	123	10	1,957,441	84,424
1904	357	19	120	9	1,622,267	78,523
1905	411	21	133	9	1,375,856	70,655
1906	387	20	124	8	2,222,691	74,131
1907	369	19	125	8	1,432,631	67,012
1908	422	17	150	8	2,335,983	77,017
1909	576	20	205	9	3,523,606	86,458

Mr. BRYAN. The only other objections to this system of including all corporations or businesses engaged in hazardous enterprises are the trouble and expense. It is said that it would take an enormous number of men to handle it, and it would cost much money. Mr. President, we have the corporation tax. It takes as many men to handle it now, separated, as it would if they were consolidated. And there is this further inducement, aside from the almost universal benefit of such a statute, that

the commission, in enumerating their objections to this system in force in Germany, have not raised the question of the constitutionality of such an act. It seems to me obvious that if by this method of corporation tax you could collect the funds there would be much less danger of litigation than in taking a single industry and treating only a portion of that, and thus leaving present in every accident the question of whether the employee, at the time of injury, was engaged in intrastate or interstate commerce.

One of the strongest pleas before the commission—I have no doubt one of the strongest inducements to recommend this legislation—was the belief that it would lessen litigation. If the plan accepted will do that, Mr. President, the plan rejected would carry that much-desired end much further. While the commission, in stating its objections to the system I have been describing, did not base any upon the ground that such an act would be unconstitutional, and they contend that this act is constitutional, and I am not disposed to dispute that, Mr. President—I would hesitate to do it, to set my judgment up against that of able lawyers who have given years of study to this subject, appearing before the commission—but we must admit that a reading of this record will disclose that a large per cent of the lawyers appearing before the commission did not believe that the legislation in the form in which it comes to us would be constitutional. Some of them, in order to make it constitutional, wanted to give to the employee a right of election in theory and deny it to him as a matter of fact.

I think it would not be far wrong to say that the most controlling reason for the reporting of this bill is that it is supposed that both the railroad employers and the railroad employees favor it. The reasons suggested in the report are that it would lessen litigation, and would relieve the unfortunate wrangles that from time to time exist between capital and labor. I submit, Mr. President, that the real reason that employers favor this legislation is because it will lessen the amount of money they will have to pay, and that the real reason the laboring men favor it is because they believe they will get more benefit under it than they can get under existing legislation. That is human nature. That has been the course pursued by both heretofore.

Another reason, or perhaps a corollary to the reasons already stated, that would induce the companies to favor this legislation is this fact: Liability is now based upon negligence. If the company comes to the Interstate Commerce Commission and says, "I want to include within my necessary expenses the amount I have paid out on account of injuries," the Interstate Commerce Commission will say, "That should not be charged to the traffic and borne by the public, because it was due to your negligence, and should be taken from the earnings of the stockholders." So, at the suggestion of Mr. Thom, the attorney for the Southern Railway, who drafted that part of the bill, section 31 was incorporated.

Finally, the committee struck it out. The Senator from Mississippi [Mr. WILLIAMS] stated in debate the other day that at the proper time he would move to put that back in the bill, but to give it the contrary effect; that is to say, he would introduce an amendment to say that you shall not charge that up to the traffic. Mr. President, it seems to me that if we do that we will be rendering it quite likely that this bill will be held unconstitutional upon that sole ground, because you can not, upon the one hand, say, "We will place a burden upon the traffic, notwithstanding you are not to blame for it," and on the other hand say, "We will not allow you to charge that up to the traffic, and therefore, finally, take it out of the ultimate consumer."

The railroads favor this legislation because it will get them away from the employer's liability act. I ask permission to incorporate at this point a copy of the employer's liability act of 1908, and the amendment of it adopted in 1910.

The PRESIDING OFFICER. Without objection, the request is granted.

The acts referred to are as follows:

[Public—No. 100.]

An act (H. R. 20310) relating to the liability of common carriers by railroad to their employees in certain cases.

Be it enacted, etc., That every common carrier by railroad while engaging in commerce between any of the several States or Territories, or between any of the States and Territories, or between the District of Columbia and any of the States or Territories, or between the District of Columbia or any of the States or Territories and any foreign nation or nations, shall be liable in damages to any person suffering injury while he is employed by such carrier in such commerce, or, in case of the death of such employee, to his or her personal representative, for the benefit of the surviving widow or husband and children of such employee; and, if none, then of such employee's parents; and, if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such carrier, or by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

SEC. 2. That every common carrier by railroad in the Territories, the District of Columbia, the Panama Canal Zone, or other possessions of the United States shall be liable in damages to any person suffering injury while he is employed by such carrier in any of said jurisdictions, or, in case of the death of such employee, to his or her personal representative, for the benefit of the surviving widow or husband and children of such employee; and, if none, then of such employee's parents; and, if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such carrier, or by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

SEC. 3. That in all actions hereafter brought against any such common carrier by railroad under or by virtue of any of the provisions of this act to recover damages for personal injuries to an employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee: *Provided*, That no such employee who may be injured or killed shall be held to have been guilty of contributory negligence in any case where the violation by such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee.

SEC. 4. That in any action brought against any common carrier under or by virtue of any of the provisions of this act to recover damages for injuries to, or the death of, any of its employees, such employee shall not be held to have assumed the risks of his employment in any case where the violation by such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee.

SEC. 5. That any contract, rule, regulation, or device whatsoever, the purpose or intent of which shall be to enable any common carrier to exempt itself from any liability created by this act, shall to that extent be void: *Provided*, That in any action brought against any such common carrier under or by virtue of any of the provisions of this act, such common carrier may set off therein any sum it has contributed or paid to any insurance, relief benefit, or indemnity that may have been paid to the injured employee or the person entitled thereto on account of the injury or death for which said action was brought.

SEC. 6. That no action shall be maintained under this act unless commenced within two years from the day the cause of action accrued.

SEC. 7. That the term "common carrier" as used in this act shall include the receiver or receivers or other persons or corporations charged with the duty of the management and operation of the business of a common carrier.

SEC. 8. That nothing in this act shall be held to limit the duty or liability of common carriers or to impair the rights of their employees under any other act or acts of Congress, or to affect the prosecution of any pending proceeding or right of action under the act of Congress entitled "An act relating to liability of common carriers in the District of Columbia and Territories, and to common carriers engaged in commerce between the States and between the States and foreign nations to their employees," approved June 11, 1906.

Approved, April 22, 1908.

[Public—No. 117.]

An act (H. R. 17263) to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908.

Be it enacted, etc., That an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908, be amended in section 6 so that said section shall read:

"SEC. 6. That no action shall be maintained under this act unless commenced within two years from the day the cause of action accrued.

"Under this act an action may be brought in a circuit court of the United States, in the district of the residence of the defendant, or in which the cause of action arose, or in which the defendant shall be doing business at the time of commencing such action. The jurisdiction of the courts of the United States under this act shall be concurrent with that of the courts of the several States, and no case arising under this act and brought in any State court of competent jurisdiction shall be removed to any court of the United States."

SEC. 2. That said act be further amended by adding the following section as section 9 of said act:

"SEC. 9. That any right of action given by this act to a person suffering injury shall survive to his or her personal representative, for the benefit of the surviving widow or husband and children of such employee, and, if none, then of such employee's parents; and, if none, then of the next of kin dependent upon such employee; but in such cases there shall be only one recovery for the same injury."

Approved, April 5, 1910.

Mr. BRYAN. Is it not remarkable that having heretofore followed the opposite course, having heretofore opposed legislation that relaxed in some degree the rigors of the common law as to liability, having fought in States legislation based upon comparative negligence, having fought the employers' liability act of 1906 through the Supreme Court of the United States, having fought the amended act of 1908 through the Supreme Court of the United States where it was upheld January 15, 1912, these gentlemen should suddenly reverse the policy that has hitherto been pursued and all at once come in in a spirit of generosity to their workmen and say, "We want all of you to have compensation," when heretofore they have been trying to keep any of them from receiving damages for injuries suffered?

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Utah?

Mr. BRYAN. Certainly.

Mr. SUTHERLAND. I do not know that it makes any great difference one way or the other, but I suppose the Senator wants to state the fact about it. The Senator says that the railroads favored this legislation. The fact is that the railroads opposed the adoption of the original resolution, which provided for the appointment of this commission.

Mr. BRYAN. That was before the act was upheld.

Mr. SUTHERLAND. They opposed the resolution which provided for the appointment of this commission to inquire into the subject at all. The fact is that many of the railroad employers' representatives who appeared before this commission, a large proportion of them, objected very strenuously to this legislation. If the Senator has read the hearings he will have seen that, for example, Mr. Lathrop, of the great Santa Fe system, opposed it; that Mr. Warfield, of the Louisville & Nashville, opposed it; and Mr. Cary and some others.

Mr. BRYAN. If the Senator will permit me, my recollection is, although I may be mistaken, that those gentlemen opposed the bill as drawn, insisting that there ought to be an election in theory but none in practical effect.

Mr. SUTHERLAND. The Senator will see that there were several stages of the hearings. Before the bill was drafted at all these gentlemen appeared before us. Some of them were in favor of the general scheme and some of them, as I have stated, were not. When the commission had announced that it had reached the conclusion that it had the power and that it proposed to report to Congress a compensation law, then the gentlemen who had opposed this scheme made a virtue of necessity and bent their efforts to cut down the amount of compensation which should be allowed.

Mr. BRYAN. Then, I understand the Senator to say that most of the railroad companies, so far as he knows, are not in favor of this measure.

Mr. SUTHERLAND. I do not say that. I say that some of them came before our commission and opposed it, and some of them appeared and favored the general scheme.

Mr. BRYAN. But, taken as a whole, what would the Senator from Utah say was the attitude of the companies?

Mr. SUTHERLAND. I would say that perhaps the majority of the railroad companies to-day favor this sort of legislation. I think that a very large proportion of them are opposed to the bill in its present form. They think that the compensation afforded is too high.

If the Senator will permit me still further, I will say that the attitude of a great majority of employers of labor all over the country, and of the employees as well, has been favorable. There have been no less than 10 State commissions at work during the last four or five years, and in each one of those commissions there has been represented the employers through some representative men and the workmen through some of their representative labor men, and they have investigated the subject together, and employers and employees alike have indorsed this general plan of compensation, differing as to detail.

Mr. BRYAN. Mr. President, I knew that Mr. Warfield seemed to be opposed to this bill. My recollection was that he wanted to include within it a provision giving an election which could not be worked out in effect, giving the right of trial by jury to injured employees, but circumscribing it so that the injured employee could not be reasonably expected to go into court. The reason why the railroad companies should favor it was not stated by any of them in as terse and concise form as it was stated by the Senator from Utah, the chairman of the commission. While some of the provisions were being objected to, the chairman, on page 1191, said:

> It seems to me, with reference to personal-injury legislation, that we have practically reached a parting of the ways. Nearly everybody who thinks very much about the subject is convinced that the existing liability law is both unwise and unfair, and that it ought to be altered. Now, legislation, as it seems to me, is bound to take one of two courses; either the direction that this takes, of getting rid of the existing liability system altogether and put in place of it a compensation law, or of getting rid of the objectionable features, or the features which people consider objectionable, in the existing liability law.
>
> If the character of legislation now under consideration is not adopted by the Federal Government and by the various States, then legislation is going to take the direction of taking away from the railroads the various defenses which they now have. I venture to say that if legislation of this kind is not adopted, within 10 years in practically every State of the Union the doctrines of assumption of risk and contributory negligence and the fellow-servant doctrine will be practically wiped out, and you will be put upon the single proposition of negligence—negligence of the employer. If that is done, your operations under that condition will certainly be more expensive than under a law of this kind, even though this law may provide rates of compensation which will cost you a little more than you are paying now. In other words, while this law may now cost you something more than you are paying under the existing condition of affairs, it will cost you far less in 10 years than if legislation takes the other direction.

I think that is unanswerable, and I believe that is the reason it was based on.

But it is said, Mr. President, that the employees also favor this legislation, and the record has been burdened with telegrams and communications to that effect. It does seem remarkable, when the Government never undertook in all its history until six years ago to deal with this business, immediately after the litigation has been had and the legislation upheld, that we should be asked to abandon that and start all over again. It is too soon to realize the benefit that will be derived under the employers' liability act. A few States have legislation practically like it now. I judge that men are governed by their interests very largely and that where this bill is opposed the States have comparative-negligence statutes and statutes abolishing the fellow-servants' doctrine and establishing also comparative recovery even where there exists contributory negligence. Why, then, should the employees prefer the pending bill over the present legislation? It is because they believe there will not be litigation under it. They think that under this bill we will have arrived at a point where they can go down to the office and settle their case just as they can go and buy a suit of clothes; that the money will be there waiting for them. Running all through this record is the idea that if we can save the cost of litigation and the attorneys' fees we ought to favor it, and it is the idea that not so much of their recovery will be taken up in the payment of court costs and attorneys' fees.

But, Mr. President, if we look at the statistics gathered by the commission, we will find that that has not been the experience in other countries. Even under the broad provisions of the German system, after it has been in existence for nearly 30 years, $24\frac{7}{10}$ per cent of the cases are now litigated. Again, if anyone believes that under the English law there will not be litigation under a compensation act, let him turn to page 570 of the hearings of the commission.

Is it a fact that by the passage of this legislation we make it sure to such an extent that there will not be litigation? Let us see what an attorney who filed a brief before the commission, who advocated this bill or a similar measure, said:

> Under such a law the right to trial by jury of all issues of fact would be preserved. The principal question of fact arising under that law would be:
>
> 1. Whether or not the injured person was in defendant's employ.
> 2. Whether or not he was of a class of employers to whom the law applied.
> 3. Whether or not the accident arose out of and in the course of the employment.
> 4. Whether or not the injury was due to an excepted cause.
> 5. Whether or not the injuries claimed for resulted from the accident or from an accident.
> 6. The amount of compensation.

Mr. BROWN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Nebraska?

Mr. BRYAN. Certainly.

Mr. BROWN. While the law, no doubt, would not entirely stop litigation in cases arising by reason of accident, does not the Senator think it would reduce litigation?

Mr. BRYAN. To be perfectly frank with the Senator, I think it would reduce litigation this far: Under the employers' liability act, as it now is, anybody can recover unless the injury was due to his sole negligence. Under this legislation everybody, presumably, could recover, subject to the great question of whether he is engaged in interstate commerce or State commerce. That question will always be present in every case arising under this act.

Mr. BROWN. But in cases that are litigated now the defense always rests, as a rule, on the question of negligence.

Mr. BRYAN. Under the employers' liability act?

Mr. BROWN. Yes; under the present act.

Mr. BRYAN. No; a man may be guilty of contributory negligence. That does not bar him from recovery. It goes to the jury, and the jury is to say how much his contributory negligence contributed to the accident.

Mr. BROWN. Exactly. So it leaves the question of negligence, the amount of contribution on the part of the person who is injured, always a question to be litigated and decided. Now, the value of this act, it seems to me, is that it takes that question out of litigation.

Mr. BRYAN. The question of liability?

Mr. BROWN. No; not the question of liability, but the question of how much a man contributed to his own negligence, of course provided he did not willfully invite the injury. So that question is eliminated.

Mr. BRYAN. That is true.

Mr. BROWN. And that being true, the question is relied upon as a defense in these damage suits. In my observation and experience it would certainly amount to a reduction of litigation.

Mr. BRYAN. Does not the Senator think that the question of amount is responsible for as much litigation as the question of negligence?

Mr. BROWN. Of course, the amount is always an issue when the parties do not come together, but the fact that a man stands a chance to get nothing in a majority of these litigated cases keeps many of them out of court unless they can find a lawyer who will take it on a contingent fee; and many a man goes unrequited and uncompensated for an injury sustained owing to the very fear that he will not be able to recover anything.

Mr. REED. Mr. President——

Mr. BRYAN. I yield to the Senator from Missouri.

Mr. REED. The Senator from Nebraska, it seems to me, overlooks the fact that all the old common-law defenses have been wiped out by the present law of Congress; that the question to be determined now is simply whether the negligence of the company in any manner contributed to the injury. If it did, then there can be a recovery. Now, it is true, as the Senator says, that if there has been contributory negligence that fact must be taken into consideration by the jury in fixing the amount of damages to be paid. But will the Senator contend that that makes the trial any longer or postpones it a day further? It simply puts upon the jury the question of taking that one matter into consideration, so that——

Mr. BRYAN. And the same witnesses who testify to injury testify, generally, as to the question of liability.

Mr. REED. Yes. I want to say further, if the Senator will pardon me, that will scarcely be said to inject even a new proposition into the trial of one of these cases. It will be a new proposition in the fact that the court will instruct the jury to take it into consideration; but, as a matter of fact, courts or juries have always taken those facts into consideration. Any man who has ever tried any of these cases, or observed their trial, knows that where a railroad has been grossly negligent or criminally negligent and there is no justification, courts always, or juries almost invariably, award higher damages than they do when the accident was one for which the road, while liable, was not culpable to so great an extent.

I think those considerations take away the argument that it makes more litigation. On the contrary, the certainty of recovery under the Federal act as it now stands, the fact that all these common-law defenses have been wiped out, will very strongly make for the settlement of cases out of court. A larger proportion of passenger cases have always been settled than those of employees, because the same defenses do not exist; and in conversation with men who have studied this question, I have been told that it is a fact that since the enactment of the Federal liability law there has been a greater proportion of settlements than heretofore. Of course, it necessarily tends to reduce litigation.

Mr. BROWN. Mr. President, if the Senator will permit me, I was directing the Senator's attention to the point that he makes that the bill now pending, if it becomes a law, will not, in his judgment, reduce litigation. I took it for granted that the contrary was true. I was led largely to that conclusion by the fact that all the people who write to me with reference to this legislation and oppose it are men who are interested in bringing these damage suits and are men whose living depends on the recovery of judgments in court. When the attorney who makes that class of cases a specialty complains, it seems to me as though he were of the opinion that this proposed law would have a tendency to reduce his business.

Mr. BRYAN. The only complaint I have had, Mr. President, has been from a few of the railroad workmen. I do not undertake to say whether or not they represent a majority. I had a letter and a telegram from an engineer whom I know, stating that he would be at the conference to be held early in May and requesting that no action be taken until the conference could consider the matter thoroughly. I have not heard from any members of the bar with reference to the matter at all. I take it that it is true that the great majority of the laboring men favor this legislation. I believe it is because they are misled into the belief that under it there will be practically no litigation, even though the damages they recover will be less than under present conditions.

Mr. SUTHERLAND. Mr. President, if the Senator will permit me, I desire to ask him a question.

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Utah?

Mr. BRYAN. I do.

Mr. SUTHERLAND. Has the Senator read the reports of the English experience with reference to this subject of litigation?

Mr. BRYAN. As incorporated in this document, does the Senator mean?

Mr. SUTHERLAND. I do not remember.

Mr. BRYAN. I think it is incorporated.

Mr. SUTHERLAND. But the recent reports, which I intend to call attention to before this debate ends, show that the English experience is that from 90 to 95 per cent of all the cases are settled without going into court.

Mr. BRYAN. Can the Senator tell me—for he is much better informed than I am—what percentage of such cases are settled in this country without litigation?

Mr. SUTHERLAND. What percentage of personal-injury cases are so settled?

Mr. BRYAN. Yes.

Mr. SUTHERLAND. No; I can not, because I think there are no statistics upon that precise question; but the statistics thus far gathered show that approximately 52 per cent of all the accidents that occur to employees in the course of their employment are inherent risks of the industry and do not result from anybody's negligence.

Mr. BRYAN. I do not know.

Mr. SUTHERLAND. I would not undertake to say that 52 per cent would be settled——

Mr. REED. Mr. President——

Mr. BRYAN. I will yield to the Senator in a moment. While I do not undertake to dispute statistics, I sometimes doubt their accuracy. I know it has been said that statistics never lie, but I remember it has also been said that in the hands of an expert they can be made to become "powerfully equivocacious."

Mr. REED. I just want to understand the Senator from Utah. Does the Senator from Utah mean to say that 52 per cent of the cases are defeated now because they are cases resulting from risks inherent to the business?

Mr. SUTHERLAND. No. I had particular reference to the report made by the Wisconsin commission, which I read the other day, which showed that they had made a thorough investigation of this whole subject in the State of Wisconsin. Their report was that 52 per cent of the accidents, fatal and nonfatal, resulted from the hazard of the industry, and were not due to any negligence either of the employee or the employer or the fellow servant, or all combined.

Mr. REED. Nor to the violation of any State or Federal statute with reference to safety appliances?

Mr. SUTHERLAND. No; nor to any such violation; but to the pure hazard of the industry. The German experience, where they have gathered their statistics with very great care, covering hundreds of thousands of cases and covering a period of 20 years, to which I referred the other day, shows that it has scarcely varied from 44 per cent for a period of 20 years.

Mr. BRYAN. Then how does the Senator account for the fact that the percentage of litigation has not decreased in Germany?

Mr. SUTHERLAND. I am not familiar with the figures to which the Senator calls attention. I know that under the German system they have a variety of ways of dealing with these questions. They do not necessarily go to court, but they have boards which investigate them, and whether or not the statistics include the investigation of the boards I do not know. I can not speak of that, because I am not at this moment familiar with the matter to which the Senator calls attention. I am speaking of the English experience, where they have the system of direct boards, as we provide in this bill, and their experience is that from 90 to 95 per cent of cases are settled without litigation.

Mr. BRYAN. This was called to the attention of the commission by Mr. Carter, and he quoted from Mr. Schwedtman and somebody else, who stated that it was one of the discouraging features connected with the German system that there was yet, after this law had been in effect for 29 years, I believe, 24.7 per cent of the cases that were carried before these boards that were litigated and appealed.

Mr. SUTHERLAND. As the Senator himself stated, and as the Senator very well knows, there is no litigation under the German law in the sense that we have litigation under our laws.

Mr. BRYAN. I understand that.

Mr. SUTHERLAND. The payments are made out of the fund.

Mr. BRYAN. The amounts proposed are contested; I do not know whether in court or not.

Mr. SUTHERLAND. The payments are made out of the fund. An application is made to the board to pay, and the board must investigate. I take it that is what is meant. There is no suit by the employee against the employer.

Mr. BRYAN. I will put in the statistics that refer to that matter when I find them here.

Mr. BROWN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Nebraska?

Mr. BRYAN. I do.

Mr. BROWN. In the controversies the Senator speaks of in Germany, under the law are the complainants, the injured parties, represented by counsel?

Mr. BRYAN. Oh, I suppose so; they can be represented or need not be.

Mr. BROWN. It was stated by the Senator from Utah that the litigation was not the same in character as ours. I ask whether the Government provided a board whose duty it was to investigate such cases, or whether the injured person was de-

pendent, as he is under existing law in this country, to hire a lawyer for himself?

Mr. BRYAN. I do not know whether they have got rid of the lawyer in Germany. I think it will be a long time before we will in this country, and, for one, I am not on the affirmative side of that question.

Mr. SUTHERLAND. The fact is that in Germany the law is administered by a board of employers upon which the employee is not represented. I think it is one of the unfortunate things of the German law that the administration of this accident compensation scheme is in the hands of a board of employers.

Mr. BRYAN. And that the employee has no legal representation upon it.

Mr. SUTHERLAND. And that the employee has no representative upon the board. Of course, in the last analysis he can go to the courts, but in the first instance the question is determined by this board of employers.

Mr. BRYAN. Mr. President, the question that will always be present will be, Did the accident occur in the course of interstate commerce? The authorities on this question already are in much confusion. Mr. Dawson submitted a brief, which he said it had taken him two or three years to prepare, in which he says there is a great uncertainty at the present time as to whether employees engaged in repairing cars are included. The chairman of the commission said, on page 1052:

> Now, whether he is engaged in interstate commerce is a fact for the courts to determine in the given case.

Of course that is so, but he is of the opinion that the employer must be a railroad company. Of course the employee must be engaged in interstate commerce, and in a case in Texas a brakeman on a train carrying interstate shipments was held not to be engaged in interstate commerce because he was injured while placing a car having in it only intrastate shipments between points in Texas.

Mr. SUTHERLAND. We have that same uncertainty under the employers' liability law, of course.

Mr. BRYAN. I do not say that you will not have litigation under the employers' liability act, but I am trying now to show that you will have it under this bill if enacted into law.

Mr. REED and Mr. SUTHERLAND addressed the Chair.

Mr. BRYAN. Just a moment, until I get through with this point, and then I will yield. Now, how can an injured man know whether or not he is engaged in interstate commerce? It has been claimed that this act will be so plain that the employee need not have a lawyer to represent him, but that he will be perfectly safe in having an agent to meet in litigation the trained and highly paid counsel of the railroad company, who makes a specialty of injury cases.

Different courts have held different ways on this question of interstate shipments. For instance, a Pennsylvania district court has held that a workman engaged in repairing a bridge is not within the provisions of the Federal liability act. Another district court has come to exactly the contrary conclusion. A judge in the eastern district of Washington has held that a brakeman engaged in repairing a brake was engaged in repairing cars, and another judge in the eastern district of Washington held that a workman employed in the shops engaged in repairing interstate cars was within the provisions of the act.

Will express companies and sleeping-car companies be within the provisions of this act? Are they not engaged in interstate commerce by railroad? Yet neither an express messenger nor a Pullman conductor has any more to do with the operation of the train than a passenger has. Some lawyers before the commission stated that they would be included, while others stated they would not be. Some who had given the subject much study went so far as to say that perhaps the telegraph and telephone companies would be included. Now, is it possible that we have reached that stage of perfection in legislation that a layman can go into court and enforce his rights where these complicated questions will always be present?

This bill is different in that respect from the present law in that added to the words fixing liability in the employers' liability act are these words:

> Arising out of and in the course of his employment.

There have been many decisions, and conflicting decisions, in England in administering that clause. Is it to be expected that anybody will believe that an ordinary workman employed on a railroad train can settle such a question without the assistance of counsel?

It is urged that the law be made exclusive. It seems to me, Mr. President, that it is nothing but just and fair to allow a man who, without negligence on his part, is injured to recover more than one who contributed to the injury; and it seems that it would be just and fair to carry that one step further and to say that a man who contributed to his injury should recover more than the man who was the sole cause of the accident.

In the second place, it is supposed that if the law be merely elective an increase in the number of courts will be necessary. It is a little difficult to reconcile the statement that litigation will be much less if the law be made exclusive with the provision in the bill for the appointment of one or more adjusters for each district court in the United States.

The courts as at present established have been able to keep up with the litigation even before the employers' liability act became perfected, and ought to be more able to do so now when the rights of the men have been established and when the only case in which they can not recover is when their sole negligence caused the injury. They can recover even then if the employer violated a statute of Congress.

Mr. REED. Or of a State.

Mr. BRYAN. Or, perhaps, of a State also. Again, it is said that to retain both methods would mean that the railroad companies would have to keep up their investigations into accidents. Well, they ought to keep them up. Without an investigation they can not determine what caused an accident and can not be prepared to prevent like accidents in the future. Again, they will have to keep them up because not all employees are engaged in interstate commerce, and because they will still have passengers on their trains, and because, again, others, neither employees nor passengers, are sometimes injured. More people walking on the railroad tracks are killed every year than are employees.

It seems to me that the fundamental objection to this bill is this: It is drawn upon the theory that, inasmuch as this business is conducted for the benefit of the public, the public as a whole ought to bear the expense. I am inclined to believe that that is a good theory, but my objection is that you take a small class that can ill afford it and place the whole burden upon them and not upon the public as a whole. Why should an engineer observing every rule of his company, guilty of not the slightest negligence, be denied compensation for the damages he has suffered because the company has been negligent and have something taken out of his poor earnings to pay for a number of others who could not recover under the existing statute?

If he be killed and leave a daughter 15 years of age, she could recover for one year; and at 16, by no fault of hers, by no fault of her father, who was killed by the negligence of some one else, she would be turned out to earn her own way in the world, unless she happened to be either an idiot or a cripple.

We hear much in this day about "the greatest good to the greatest number." I have not any doubt that if all the employees were gotten together, the greatest number would say: "Well, let us divide up among all of us any damages collected by the few of us." I suppose, perhaps, they would agree to that before they were injured. One of the purposes of the establishment of courts and one reason that will maintain them in spite of all the attacks that can be made upon them is, that the minority have rights, that the humblest man shall be equal to the most powerful corporation in the courts of the land. Of course, everybody would like to see capital and labor get along harmoniously. I doubt if you can accomplish that by legislation. Here will be one of the temptations to the employer under this bill: By so much as he reduces the wages of his employees, by that much will he reduce his liability in case of injury or death. If 10 per cent reduction is made in his wages, 10 per cent of the amount recoverable under this bill will be taken from him or his beneficiaries. That is bound to be true.

There is another proposition submitted by Mr. Carter, who represented the firemen and enginemen who opposed this bill, but who, I understand, now remain neutral. I do not know whether or not it is well based as an economic fact, but he makes the statement that if you provide that the employers shall be made to pay in all events, and that the burden will be charged upon the public, the employees will be less careful, and he illustrates that by saying that a man is more careful of his property without fire insurance than if he has it, and he illustrates it again by recounting this incident:

> While passing through a small manufacturing plant recently I noted a rapidly revolving pulley operated by a belt connected with a shaft in the basement. Between this revolving pulley and another near-by machine girls were required to pass, their skirts actually touching the moving parts. I said to the proprietor, with whom I am well acquainted and who is as kindly a man as one usually meets, "Is not that a dangerous pulley?" He replied, "No; I guess not; the insurance inspector has not kicked." This simply meant that if one of the girls were killed or maimed, he, the employer, would be protected from a damage suit by the insurance company.

Then he says—and he claims to have studied the subject:

> Under all workmen's compensation schemes of which I have read, the employer is presumed to protect himself from individual loss and

responsibility of deaths and injuries of his employees by insurance in one form or another, and he recoups himself for the expense of this insurance by increasing the price of his product to the consumer.

* * * * * * *

Practically all investigators of the European situation in compiling or quoting accident statistics agree that the rate of such accidents have increased since the adoption of workmen's compensation scheme. Some attach all blame to the employee; none find the employer responsible for this unwelcome feature. Some explain the matter in one way and some in another. Messrs. Schwedtman and Emery, the gentlemen who conducted the investigation for the National Association of Manufacturers (already referred to herein), report Germany's experience as follows.

The record of new accident cases, lasting more than 13 weeks, during the 25-year period gives this result:

	New cases.
1885	268
1890	42,038
1895	75,527
1900	107,654
1905	141,121
1908	142,965

Continuing, Mr. Carter said:

These gentlemen are not among those who assert that workmen's compensation acts have materially reduced the accident rate, and say:

"One would draw the natural inference from such a statement that 5 or 10 years' systematic accident prevention will reduce the number of injuries 50, or, at least, 25 per cent. There is no such favorable record in Germany after 25 years of persistent effort."

Mr. BROWN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Nebraska?

Mr. BRYAN. Yes.

Mr. BROWN. The Senator does not contend, does he, that because an employee is certain to recover compensation in case of accident, he will become more careless than he would be without the law that would give him compensation?

Mr. BRYAN. That the employee would?

Mr. BROWN. Yes; the employee.

Mr. BRYAN. I am speaking of the employer.

Mr. BROWN. I am speaking now of the employee.

Mr. BRYAN. It might have a result the other way. I am not so sure about that, although there is this difference——

Mr. BROWN. Is it conceivable that a man will become careless and invite an accident to himself simply because there is compensation provided for him in case he is hurt?

Mr. BRYAN. No; that is a reason that does not apply on the other side.

Mr. BROWN. But that applies, I think, on the side I am taking, the employee's side, and I understood the Senator to say that he thought it might have that effect.

Mr. BRYAN. It might, in some instances, although, on the whole, I think it would not have that effect, because men value their lives more than money.

Mr. BACON. If the Senator from Florida will permit me, does not the Senator from Nebraska recognize that if an employee knew that under the law he could not recover anything if he was careless and caused the accident, while he might not invite injury, he would be less careful to avoid it than if he knew that even if it had been brought on by his own carelessness he could still recover?

Mr. BROWN. Oh, no, Mr. President. I disagree on that proposition entirely. That is the most unreasonable and revolting doctrine that I ever heard advanced—that a sane man will become careless and thereby invite an accident to himself because he can receive some compensation for it after he is hurt. I submit that our human experience disproves that proposition entirely and absolutely. You might just as well argue that because a man carries a life-insurance policy he would not be so afraid of death. The principle is the same.

Mr. SUTHERLAND. Or an accident policy.

Mr. BROWN. The principle is absolutely the same.

Mr. BRYAN. I agree with the Senator, after that very lucid statement.

Mr. BROWN. I am glad that I have convinced the Senator on one proposition.

Mr. SUTHERLAND. Will the Senator permit me to interrupt him?

Mr. BRYAN. Yes.

Mr. SUTHERLAND. The Senator quoted figures showing that the number of accidents in Germany had increased during the period of 25 years. It is true that the number of accidents has increased, but——

Mr. BRYAN. Oh, I understand, if the Senator will pardon me, that perhaps the number of employees has increased in like proportion.

Mr. SUTHERLAND. Precisely; but let me suggest still further to the Senator that the German experience shows that the percentage of accidents due to the fault of the employer in the last 20 years has decreased from 20 per cent to 16 per cent. I read those figures the other day.

Mr. BROWN. Yes; and the number of appeals has decreased from about 80 per cent to about 24 per cent.

Mr. SMITH of Georgia. The Senator means by appeals, trials?

Mr. BRYAN. Not necessarily trials; appeals from the arbitration board.

Mr. BROWN. That may be true, because appeals have become easier.

Mr. BRYAN. That advantage will not be present under this bill.

Mr. BROWN. Just as under existing law a case is tried and if the employee who has been injured loses or recovers what, in his judgment, is an inadequate amount an appeal is very rarely taken by the employee, first, because of the expense, and, second, because of the inevitable delay, which amounts to a denial of justice in nine cases out of ten in these damage cases when they are appealed.

Mr. REED. Mr. President——

Mr. BRYAN. Mr. President, just a moment. I would really rather listen to other Senators speak than speak myself. I have been on my feet some time. I am perfectly willing to answer questions, but inasmuch as all these Senators intend to speak anyway, they might take it out of their own time. I only make that suggestion because I am not very well, and I have been on my feet a considerable length of time.

Much has been said about the ambulance-chasing lawyer. He has no friends either among the laymen or the lawyers, and he ought not to have. But if such lawyers have received too much in the past, why not amend the existing laws as to the amount of compensation that can be paid an attorney? Instead of that, Mr. President, with all of the many intricate legal questions that will be present under this bill, some of the best lawyers in the country doubting its constitutionality, with the great court of appeals of New York holding an act similar to be unconstitutional because it denies equal protection of the laws, is it to be supposed that a mere agent, a layman, can cope with the best legal talent that these great corporations can hire? Is this bill itself so simple as all that? Why, over the question of whether an employee suffering from a total disability could be made to suffer a reduction or whether that applied solely to one suffering from a partial disability there is disagreement between able lawyers here in the Senate. But there is one provision in the bill that meets my hearty approval, if this litigation is to be carried on on the part of the plaintiff by agents. Section 7, while providing for written notice within 30 days, provides that an extension may be had under certain circumstances for 90 days upon proof of ignorance of the law or facts. I suppose that a man injured would be cognizant of that fact, but undoubtedly it is a wise provision not to hold the claimant responsible for the ignorance of the law of his agents.

But the claim agent is to be permitted to flourish in all his glory. By persuasion and promises of settlement he may be able to prevent an employee from giving the notice within 30 days; and the employee may hesitate to give notice, fearful that it may cause him to lose his job.

And again, Mr. President, not all accidents develop the full extent of injury within 90 days. One of the most pitiable cases came before the Committee on Claims on yesterday—and I merely cite it as an instance—that of a Government employee who was walking down in a basement and stumbled over a trapdoor which was perhaps an inch above the level of the floor. He supposed that he had only broken his arm. He gave up his employment and went back to Ohio, where he lived; was in the clerk's office there and afterwards in the insurance business; then married, and four years later it developed, by the statement of physicians and surgeons, beyond question that that injury, slight at the beginning, was the cause of a permanent disability; and yet under this bill an employee must give the notice within 30 days, or at the most within 90 days, and must bring his action within six months, determine whether he is an interstate employee or an intrastate employee, determine whether his employer was at the moment engaged in interstate or intrastate business; and if he fails, whatever merits his case may have, he will never be able to obtain any recovery for the damage done to him and his family.

Mr. President, the State courts can administer the present law. In your various counts in your declaration you can charge that the employer was engaged in intrastate business and interstate business; but under this bill you can not go into any State court in the land. His only possibility of recovery is in the Federal court, and how it is possible for him to solve that question without the advice of a lawyer, and a good lawyer, it is impossible for me to conceive.

The PRESIDING OFFICER. The Senator from Florida will suspend for a moment. The hour of 4 o'clock having arrived,

the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 18642) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909.

Mr. SIMMONS. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. The Senator from North Caroline asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered. The Senator from Florida will proceed.

Mr. BRYAN. An additional reason for allowing men entitled to claim under this act to go into State courts is this: We have county courts, county judges' courts, and circuit courts just as able and more able to understand this act and to understand the legislation of their States than an adjuster, and it is just that in the county where the man lives the remedy and the relief to which he is entitled should be given.

I do not know how it may be in other States, but in my State a man might have to travel 500 miles to go to the place where this adjuster lives. He would have to gather up his witnesses, tender them in advance their mileage and their witness fees, get his money for the physician who can testify as to the accident or the injury, and proceed four or five hundred miles to see this adjuster. He presents his testimony and goes back home. Finding it not satisfactory to him, then he can file exceptions and get into the district court of the United States, pay the costs incurred before the adjuster, and again gather up his witnesses and his physician and tender to them pay and pay the mileage to which they are entitled and the per diem to get into court, there to be confronted with the finding of this adjuster made prima facie evidence against him.

If nothing else be done with this bill, Mr. President, I submit that that is too much hardship, too much injustice, too much cruelty to impose upon the ordinary man working for a railroad.

Mr. President, I shall not trespass upon the patience of the Senate to consider this bill in its details. In passing, however, I desire to call attention to one or two matters. I wish Senators to consider carefully the provisions relating to payments for dependents, as included in section 23—that is, where an employee is injured and there is a total disability and he afterwards dies. The method of computation there is, in effect, this: You estimate the total amount the dependent would have received for eight years. From that you deduct two items; first, the amount the employee himself had received before death, which is just, and then again the amount which the dependent would have received between the period of the accident and the death, if death had immediately resulted.

Mr. SUTHERLAND. Oh, no.

Mr. BRYAN. I will read it.

> Second. By deducting from such amount a sum equal to the payments for the period between the accident and the death, which, if the accident had immediately resulted in death, the employer, by reason of the happening of any of the contingencies mentioned in clause (A) of section 21, would have been relieved from making.

So that if he lived four years and were entitled to $50 a month and then died, he would have received half of what his dependents would have received in the eight years. From that you take the amount that would have been paid to his dependents, so that it works out that at the end of four years the dependents receive nothing.

Mr. SUTHERLAND. I want to interrupt the Senator, because I am sure that he does not want to make a misstatement about the bill.

Mr. BRYAN. I certainly do not. I have studied it as carefully as I could. I hope I am mistaken.

Mr. SUTHERLAND. The Senator is mistaken about that. The provision is that there should be deducted "from such amount a sum equal to the payments for the period between the accident and the death." That is, the amount paid to the employee.

Mr. BRYAN. Oh, no; not paid to the employee.

Mr. SUTHERLAND (reading):

> By deducting from such amount a sum equal to the payments for the period between the accident and the death.

Mr. BRYAN. Not the payment, but "a sum equal to the payments."

Mr. SUTHERLAND. Yes; a sum equal to the payments.

Mr. BRYAN. So the employer would have been relieved from making it if death had immediately resulted.

Mr. SUTHERLAND. From the period between the accident and death. That is, you deduct a sum equal to those. You can not deduct the payments, because they were already made.

Mr. BRYAN. I think the Senator will see it is "by deducting from such amount a sum equal to the payments for the period between the accident and the death" to which the dependent would not have been entitled if death had been immediate. Then you add to that the amount you have paid the employee and subtract both of them from the total amount.

Mr. SUTHERLAND. First of all we deduct from the amount which would have been paid in the eight years the amount which has been paid to the employee. That is the first deduction. Then we deduct the amount of the payments for the period between the accident and the death, which, if the accident had immediately resulted in death, the employer, by reason of the happening of any of the contingencies mentioned in clause A of section 21 would pay. The clause by reason of the happening of any of the contingencies mentioned in clause A is a limitation upon the first part of the section, and it means a contingency such as the death of a child, for example, or the death of the widow.

Mr. BRYAN. Will the Senator state what it means except that it is a sum equal to the amount that would have been paid?

Mr. SUTHERLAND. No; the language——

Mr. BRYAN. If a man had died, you pay to the widow or children dependent during that period.

Mr. SUTHERLAND. The Senator from Georgia I think unwittingly fell into exactly the same difficulty and made the same statement.

Mr. BRYAN. When I heard him make the statement I thought the provision would not have been there, but I have given careful consideration to the bill.

Mr. SUTHERLAND. There is absolutely no such intention in the bill. If the language is susceptible of any such construction, of course it ought to be made plain, because there was no such intention. I do not think it means that. I think it clear that it does not mean that. The language was drafted with some care.

Mr. BRYAN. Mr. President, so far as I am concerned, it makes no difference what this convention about to meet in May might consider with reference to this bill, because I believe that I understand its provisions. I would be willing to vote against it, notwithstanding their judgment favored it, and trust to its administration to justify my course.

There are others here supporting this legislation without complete and full investigation, because Senators have not time to consider every bill, believing that they are carrying out the wishes of the men to be benefited by it, namely, the employees. It does seem to me that we might wait long enough for them in the convention which is about to meet to say whether they approve of this legislation and are willing to be deprived of the benefit of the legislation just upheld by the court, for which they have been struggling for half a century. It seems to me that that is a fair request.

Mr. HEYBURN. Mr. President, I want to put out an interrogatory for consideration between now and the time when this measure next comes up, because it is one which, in my judgment, will have to be dealt with. It will take but a moment to state it.

This employers' liability bill is being supported upon the assumption that it is within the provisions of paragraph 3 of section 8 of the Constitution. I want Senators who give attention to legal matters to bear in mind what I say, because at another time I may urge it more at length. I think the author of this bill, the Senator from Utah [Mr. SUTHERLAND], will concede that he is proceeding under the authority of the provision to regulate commerce between the several States. If he is and it becomes a law, then, under section 2 of Article III of the Constitution, the jurisdiction will lie solely in the United States court, coming within the recent decision of the Supreme Court of the United States. Let me make that plain. If this legislation rests upon the authority of the Constitution, under the provision authorizing Congress to regulate commerce between the States, then the question of jurisdiction will follow under section 2 of Article III.

> The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties,

And so forth.

Senators are familiar with that provision. I find no provision here that would under any conditions entitle a State court to deal with the question of personal injury, because if we have the jurisdiction we have the exclusive jurisdiction, as has been held recently by the United States Supreme Court. We either have exclusive jurisdiction in the United States courts or we have none, and if we have the jurisdiction then the State courts have none.

That question is important to be considered in pressing this legislation. It is true it is a bill for arbitration in the main,

but the last or the next to the last provision in the bill, section 30, provides:

That nothing herein contained shall be construed as doing away with or affecting any common-law or statutory right of action or remedy for personal injury or death happening before this act shall take effect.

We have no authority to legislate that section, because the Supreme Court has said that we can not do that thing.

Mr. SUTHERLAND. The section to which the Senator directs attention simply saves existing rights.

Mr. HEYBURN. But we can not do it. The Supreme Court has said we can not confer upon the State courts any rights if the action is based upon the constitutional right reserved to the people.

Mr. SUTHERLAND. What is the number of the section the Senator referred to?

Mr. HEYBURN. While it is negative, it is the same principle. It is section 30.

Mr. SUTHERLAND. The effect of that is to provide that the law shall not be retroactive.

Mr. HEYBURN. But we can not do it. We have not the power under the Constitution. The whole difficulty arises in your very first initial step of assuming under the provisions of the Constitution authorizing Congress to regulate commerce between the States that you have the right to do something more. Just as soon as you base a statute upon that provision of the Constitution these other things fade away.

Mr. SUTHERLAND. Will the Senator from Idaho allow me?

Mr. HEYBURN. Certainly.

Mr. SUTHERLAND. The bill proposes to create a new right for personal injuries sustained.

Mr. HEYBURN. That is a right at common law.

Mr. SUTHERLAND. It proposes to create a new right applying to personal injuries.

Mr. HEYBURN. That of arbitration?

Mr. SUTHERLAND. No; it proposes to give to an employee who is injured in the course of his employment a right to recover certain definite compensation, wholly irrespective of negligence.

Mr. HEYBURN. It only establishes a rule of evidence under which he may recover. He might have recovered at common law.

Mr. SUTHERLAND. No; it goes beyond that. If the Senator will be patient for a moment; let me state my proposition completely. It proposes to give to the employee a new right, namely, to recover for personal injury, whether that personal injury was due to the negligence of the employee or not. If we said nothing whatever with reference to cases arising prior to the passage of the act, the law would in all probability not be given a retroactive operation, because laws are not to be construed retroactively unless they so provide. But out of abundance of caution, so that there might be no doubt whatever as to existing cases, section 30 is inserted, which is wholly in the negative, simply "that nothing herein contained shall be construed as doing away with or affecting any common law or statutory right of action or remedy for personal injury or death happening before this act shall take effect." That is simply put in out of abundance of caution to prevent, under any circumstances, the law being given a retroactive effect.

Mr. HEYBURN. The Senator misconceives the point of my suggestion. I am not attacking section 30. I am only using it as a text to illustrate the principle that if we are going to put all the personal-injury cases that occur in connection with interstate commerce under the provisions of this law, then the jurisdiction of the court must follow. This law, in the main, is nothing but a regulation for arbitration. That is what it is in the main, but in two or three cases you have gone beyond that, and, of course, if it is an arbitration statute, it is intended to be a substitute for a law to determine the rights of parties.

I make these suggestions: There is more in the question than there might appear to be at first sight. You are taking out of the hands of the courts of the State all the power to deal with these questions. You are placing it in the courts of the United States, under section 2 of Article III, and you are giving that court jurisdiction. If it has jurisdiction, unless specifically provided otherwise, it has exclusive jurisdiction. So says the Supreme Court of the United States. Now, do you intend to give it exclusive jurisdiction in personal-injury cases? That is the question. The right of appeal is provided for from the arbitration. I would suggest that the brakes be put on this measure and we slow it down until that question is thoroughly considered. The people do not desire to lose the right to try these cases in the State courts.

Mr. BACON. I should like to ask the Senator to state specifically the ground of his objection. The colloquy was broken into to such an extent that I failed to catch, not hearing all of it, the exact point. I should like to have the Senator state it. I am very much interested in it.

Mr. HEYBURN. It is not an objection; it is a warning.

Mr. BACON. I thought the Senator made the point that there was a constitutional difficulty, and I wished to hear what it was.

Mr. HEYBURN. It is a constitutional warning. The measure is based upon a proposition that would work an exclusive jurisdiction in the United States courts. I was merely inquiring of the Senator having charge of the bill whether or not it is the intention that the personal-injury cases, the class enumerated in this bill, shall only hereafter be tried in the United States courts, because I am quite sure that lawyers who look carefully into this matter will readily see that the whole right to legislate is based upon the provision of the Constitution giving Congress the power to legislate upon matters affecting commerce between the States, and, of course, there could be no other basis upon which Congress could assume jurisdiction over controversies between parties in the States. That being the case, the legislation itself rests solely upon the provision in the Constitution. Section 2 of Article III then confers the exclusive jurisdiction upon the United States courts.

I merely inquired whether or not the Senator had given that matter consideration, and I sent out the inquiry in order that it might be considered by those who will hereafter discuss and vote upon it. I did not intend to enter upon it, but all the way through, since this bill has been upon the calendar, I have had trouble in my mind as to the question of excluding all cases arising from a claim of personal injury in the State courts.

I am not introducing telegrams and letters which I am receiving in large numbers, but the telegrams that were read here this morning are evidently, a large number of them, based upon the assumption that they will still have the right in their local courts. We have plenty of places in the United States where the United States court sits hundreds of miles from the place where the cause of action arises; it sits 125 miles from our mines; and to persons who have personal-injury cases that is a burden. Large corporations operating there sometimes trade upon the fact that the party will not be able to get his witnesses to court, and all that kind of thing.

I merely send out the suggestions to gather such thought and consideration as may come from them.

Mr. CULLOM. Mr. President——

Mr. SUTHERLAND. Will the Senator from Illinois allow me?

Mr. CULLOM. Certainly.

Mr. SUTHERLAND. The question to which the Senator from Idaho refers is one that the commission considered, and considered at considerable length. We were all anxious, if possible, to preserve the right to go to the State courts, but we were confronted in the matter with this practical difficulty. In the first place, I may say that there were two general schemes presented for the administration of the law. One was that we should create an administrative board of some kind or that we should devolve the duty of administration upon an existing political board or semipolitical board, like the Interstate Commerce Commission, and give that board or commission the authority to appoint various agents throughout the country to administer the law. After consideration we were of the opinion that that would be an unfortunate thing to do, because it would inevitably put it under more or less political influence.

For that and for other considerations that I will not stop to go into now we thought it was wise to leave the matter in the hands of the courts, and yet it was necessary that these cases should be in a position to be disposed of summarily to some extent. So we conceived the idea of having adjusters appointed. Inasmuch as in the last analysis you must preserve the right of trial by jury somewhere, we thought the simplest and easiest way to do so was to provide for these adjusters to be appointed by the Federal courts, and then provide that their findings should be filed in the Federal courts in the same way as a master or referee would do, and when they had been filed there then permit either party to have a jury trial. We can not, of course, deny a jury trial in the last analysis.

Mr. HEYBURN. In the United States court?

Mr. SUTHERLAND. Yes. Some court must appoint these adjusters. It would not do to turn that over to the various State courts. That would be of doubtful validity and would, moreover, result in a great deal of confusion. We therefore provided that they must be appointed by the Federal courts.

Now, having these adjusters appointed by the Federal courts there seemed to be legal as well as practical difficulties in the way of providing that they should make their returns to a State court. It seemed to us that being appointed by the Federal court, being in a sense an arm of the Federal court, their returns must be made to that court. I would be very glad now

if some legal and practicable scheme could be suggested by which in the last analysis the parties might go to a State court, but I can see no legal or practical way of doing it.

Mr. HEYBURN. I understand the Senator concedes it is not considered that under this bill they could go to a State court?

Mr. SUTHERLAND. No; they could not.

Mr. HEYBURN. I undertake to say that out of thousands—I do not know, perhaps 20,000—of telegrams, petitions, and letters that are coming to Members of this body, and Members of the House, doubtless, were it known to the senders that they were to be deprived of access to the State courts there would not be one-tenth of them, because all the letters that we get indicate that where they favor it, it is because it is something that can be done without the machinery of the courts.

Mr. SUTHERLAND. It will be, I venture to say——

Mr. HEYBURN. You will have to go into court in order to get the adjuster appointed.

Mr. SUTHERLAND. I know; but I am speaking of the disposition of the cases. The experience under the English law, in which there are more questions to be litigated than here——

Mr. HEYBURN. Of this class of cases?

Mr. SUTHERLAND. Where there are more questions to be litigated than under our law, because we have simplified a great *many of* those questions, under the administration of the English law 90 or 95 per cent of them are settled without ever going into court at all.

I venture to say that our experience will be that at least 95 per cent of these cases will be settled without going to court at all. The Senator shakes his head. The Senator may prophesy about it as well as I, but the difference between us is that I have the English experience, at least, at my back.

Mr. HEYBURN. Oh, conditions are so different in England. I did not intend to go so far into the matter. I only wanted to know whether we differed as to the primary facts. I find we do not, and that under this proposed legislation the State courts will be closed against the claimants or the defendants, as the case may be.

Mr. SUTHERLAND. There will be no recourse to settle matters under this compensation act to any of the State courts, but the adjuster——

Mr. HEYBURN. Mr. President——

Mr. SUTHERLAND. If the Senator will bear with me for a moment—but the bill provides that an adjuster may go to any part of his district, to suit the convenience of the parties and the witnesses, to take testimony, and his expenses are to be paid by the Government; so that the adjuster will go to the place, *perhaps*, where the accident occurred or elsewhere to suit the convenience of the parties and witnesses in the various cases.

Mr. HEYBURN. How about the jury trial when it comes on?

Mr. SUTHERLAND. When the jury trial comes on it will be the same as any jury trial in a Federal court.

Mr. HEYBURN. The Senator is better advised than many other Senators as to conditions that exist in the more sparsely settled sections of the country. We work about 4,000 miners, and accidents are occurring continually in our mines. Those injured must go to Coeur d'Alene city to reach the first United States court, which is about 125 miles. The taking of their witnesses is a burden of which they complain. I should like to see some more convenient and less expensive method provided; but I want to be right sure that it is so. I do not want to be reproached afterwards by those people saying: "We used to go just up here on the corner of Seventh Street to try our cases and walk back and forth to our luncheon, but now we must go and take a day's trip each way, and we have no wagon roads between the places at all."

I will not pursue the subject further. There are other matters that the Senate desires to consider. I want Senators, however, to give some thought to that matter before they take it for granted that all of these petitions and telegrams they are receiving are based upon a clear knowledge of what we are trying to do.

Mr. SUTHERLAND. I hope the Senator will suggest some concrete amendment on that subject.

GEORGE HALLMAN.

Mr. TOWNSEND. Mr. President, on yesterday the bill (S. 2539) for the relief of George Hallman was passed by the Senate. I desire to move to reconsider the votes by which the bill was ordered to a third reading and finally passed.

The PRESIDING OFFICER. The question is on the motion of the Senator from Michigan.

Mr. SMOOT. I ask the Senator why he asks for a reconsideration?

Mr. TOWNSEND. I had supposed that the bill had been recommitted to the Committee on Claims. I had made arrangements to be recognized, and I supposed it had been done several days ago. The bill was reported from the Committee on Claims for the relief of an employee of the Government. I will state that the claimant is an old man. After the bill was reported the claimant's representatives appeared and said that he felt as though he would not like to have his claim presented and allowed, inasmuch as he is now in the employ of the Government. It is for the purpose of recognizing that condition that I desire to have the bill recommitted to the Committee on Claims, and not for the purpose of pressing it for a reconsideration or enlarging the amount.

The motion to reconsider was agreed to.

The PRESIDING OFFICER. The bill will be recommitted to the Committee on Claims.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. BRISTOW. I should like to inquire of the Senator from Illinois if——

Mr. CULLOM. I regard it as very important, Mr. President, that we should have a brief executive session.

Mr. BRISTOW. When will the Senate have an opportunity to take up the calendar again?

Mr. CULLOM. It was considered on yesterday.

Mr. GALLINGER. Probably to-morrow.

Mr. SMOOT. Does the Senator know how long it will be necessary to remain in executive session?

Mr. CULLOM. It may not take more than a few minutes.

Mr. SMOOT. Then there will be no objection, I presume, to resuming legislative business.

Mr. BACON. We do not want to be precluded by that.

Mr. SMOOT. Not by any manner of means.

Mr. GALLINGER. The motion is not debatable.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois [Mr. CULLOM].

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened.

INTERNATIONAL HARVESTER CO. (S. DOC. NO. 604).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Attorney General, which the Secretary will read.

The Secretary read as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., April 24, 1912.

THE PRESIDENT OF THE SENATE:

SIR: I am in receipt of a copy of a resolution of the Senate, reading as follows:

"APRIL 24, 1912.

"*Resolved*, That the Attorney General be, and he is hereby, directed to furnish the Senate with copies of the reports of the Secretary of Commerce and Labor and Commissioner of Corporations, and instructions of the President, concerning the proposed prosecution of the International Harvester Co. of America, made in the year 1907, and showing the facts concerning such proposed prosecution and the reasons for its abandonment."

In reply I am directed by the President to transmit to you, as I do herewith, copies of the following letters on the files of this department:

Letter from President Roosevelt to Charles J. Bonaparte, Attorney General, dated August 22, 1907.

Letter from William Loeb, jr., Secretary to the President, to Charles J. Bonaparte, Attorney General, dated August 23, 1907.

Letter from Herbert Knox Smith, Commissioner of Corporations, Department of Commerce and Labor, to the President, dated September 21, 1907.

Letter from Herbert Knox Smith, Commissioner of Corporations, Department of Commerce and Labor, to the President, dated September 23, 1907.

Letter from Oscar Straus, Secretary of Commerce and Labor to the President, dated September 23, 1907.

Letter from William Loeb, jr., Secretary to the President, to Charles J. Bonaparte, Attorney General, dated September 24, 1907.

I have the honor to be,
Very respectfully,
GEO. W. WICKERSHAM,
Attorney General.

Mr. BRISTOW. Mr. President, before the communication is referred, I should like to make a few inquiries. This communication is in response to a resolution that was introduced into the Senate this afternoon by the Senator from Alabama [Mr. JOHNSTON], as I understand. Is that correct?

Mr. JOHNSTON of Alabama. That is correct.

Mr. BRISTOW. Evidently the letter was prepared before the resolution was introduced and the Senator from Alabama understood just what reply the Attorney General was ready to make.

Mr. JOHNSTON of Alabama. Evidently that is not so.

Mr. BRISTOW. It is not?

Mr. JOHNSTON of Alabama. I will state that is not so. I have not had any communication whatever with the Attorney General, but I have seen in the press and heard otherwise that there was a question about this Harvester Trust, and I wanted to get the facts from the Attorney General.

Mr. BRISTOW. I was rather anxious, or rather interested. I should say, to know why the Attorney General should be so prompt in answering the resolution of the Senator from Ala-

bama, which was introduced this afternoon, while the following resolution, which was introduced——

Mr. JOHNSTON of Alabama. I will suggest to the Senator that there was a resolution adopted yesterday that required much more matter to be disclosed, and the communication possibly may have been prepared in reference to that.

Mr. BRISTOW. A resolution was introduced on April 22 by Mr. OVERMAN and agreed to by the Senate, which reads as follows:

Resolved, That the Attorney General be, and he is hereby, instructed to lay before the Senate all correspondence and information now in possession of the Department of Justice in relation to the proposed settlement between the United States and the International Harvester Co. by which the so-called Harvester Trust may be permitted to reorganize and bring its organization and business within the provision of the Sherman antitrust law as construed by the Supreme Court, together with any and all correspondence, information, and reports of the Bureau of Corporations relating thereto from January 1, 1904, to the present time.

It can be readily seen that this communication is not in reply to the Overman resolution. Now, I have been advised—at least I have seen it so stated in the public press—that a suit which was proposed to be brought against the Harvester Trust has been withheld upon the order of the President.

Mr. HEYBURN. What President?

Mr. BRISTOW. The present President within the last few weeks. Now, we have the spectacle of a resolution being prepared and introduced into the Senate this afternoon, and before it has been printed and furnished to Senators it is answered by the Attorney General, presumably because it is intended to reflect upon a man who is a candidate for the Presidency against the present occupant of that office, while the resolution that was introduced on April 22 remains unanswered by the present Attorney General, because, presumably, it might reflect upon him or his administration or the administration that is now in charge of the Government.

I simply wanted to call attention to the fact that the answer to the resolution introduced by the Senator from Alabama seems to have been prepared in advance to await the opportunity, while the resolution of the Senator from North Carolina [Mr. OVERMAN] remains unanswered; and it has not been long since the Senate was advised that the public interest would not permit the Attorney General to furnish it information it desired to have in regard to his relation with the International Harvester Co. Why is he so eager in his efforts to reflect on his predecessor while he conceals from us the facts as to his own conduct?

The VICE PRESIDENT. The communication and accompanying papers will be printed and referred to the Committee on the Judiciary.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 25, 1912, at 2 o'clock p. m.

NOMINATIONS.

Executive nominations received by the Senate April 24, 1912.

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Carroll S. Graves to be a lieutenant in the Navy from the 24th day of September, 1911, to fill a vacancy.

Ensign Stephen B. McKinney to be a lieutenant (junior grade) in the Navy from the 12th day of February, 1912, upon the completion of three years' service as an ensign.

POSTMASTERS.

KENTUCKY.

W. B. Buford to be postmaster at Nicholasville, Ky., in place of William M. Anderson. Incumbent's commission expired February 7, 1911.

Clarence Mathews to be postmaster at Maysville, Ky., in place of Clarence Mathews. Incumbent's commission expired December 19, 1910.

Will P. Scott to be postmaster at Dawsonsprings, Ky., in place of Will P. Scott. Incumbent's commission expired March 31, 1912.

James W. Thomason to be postmaster at Uniontown, Ky., in place of James W. Thomason. Incumbent's commission expired March 31, 1912.

Miles M. J. Williams to be postmaster at Eminence, Ky., in place of Miles M. J. Williams. Incumbent's commission expired April 9, 1912.

OKLAHOMA.

Leonard M. De Ford to be postmaster at Duncan, Okla., in place of Harry S. Bockes. Incumbent's commission expires April 28, 1912.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 24, 1912.

REGISTER OF THE LAND OFFICE.

Hal J. Cole to be register of the land office at Spokane, Wash.

POSTMASTERS.

ALASKA.

Earle L. Hunter, Juneau.

CALIFORNIA.

Edward M. Downer, Pinole.

COLORADO.

Walter I. Brush, Sterling.

ILLINOIS.

Dietrich H. Fleege, Lombard.
Charles C. Hamilton, Atwood.
John F. Mains, Stronghurst.

KANSAS.

Fred Bartlett, Baxter Springs.
Florence Lowe, Turon.

MAINE.

Frank H. Lane, Brooks.
Arthur W. Richardson, Fort Fairfield.
Palmer A. Twambley, Kennebunk Port.

MARYLAND.

William H. Medford, Cambridge.

MASSACHUSETTS.

Frank O. Johnson, Montague.

MINNESOTA.

Lemuel S. Briggs, Princeton.

MISSISSIPPI.

Thomas D. Hill, Blue Mountain.

MISSOURI.

Henry J. Bernhard, Palmyra.
Louis F. Blacketer, Braymer.
August W. Enis, Clyde.
Henry Puls, Jackson.
James Tait, Polo.

MONTANA.

Theophilus H. Symms, Broadview.

OHIO.

Charles H. Clark, Mount Sterling.
William McC. Crozier, Cumberland.
Pearl W. Hickman, Nelsonville.
George H. Huston, Rogers.
Robert H. Wiley, Flushing.

OKLAHOMA.

Harry C. Clark, McAlester.
John M. Lapham, Cement.
John B. Willeford, Olustee.

PENNSYLVANIA.

Herbert L. Bowen, Spartansburg.
Sarah V. Patton, Aliquippa.

RHODE ISLAND.

William F. Caswell, Jamestown.

SOUTH DAKOTA.

Frank Bowman, Eagle Butte.
Robert E. Grimshaw, Deadwood.

INJUNCTION OF SECRECY REMOVED.

The injunction of secrecy was removed from the ratification of the declaration of international naval conference, signed by the delegates of the United States to the International Naval Conference held at London, England, from December 4, 1908, to February 26, 1909. (Ex. A, 61st Cong., 1st sess.)

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 24, 1912.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, imbue us plenteously with that wisdom which is above the price of rubies, which enables us to distinguish clearly the real values of life, lifts us above the sordid, puts a premium on high thinking and clean living, makes for righteousness in the soul, and leads heavenward. For Thine is the kingdom, and the power, and the glory, forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday. The call rests with the Committee on the Territories. The unfinished business is House bill 13987, to create a legislature in the Territory of Alaska, to confer legislative power thereon, and for other purposes. The House resolves itself automatically——

LEGISLATURE FOR ALASKA.

Mr. MANN. Pending that, Mr. Speaker, I suggest to the gentleman from Virginia [Mr. FLOOD] that I see he has reported House bill 38, a substitute bill on the same subject. I understood he desired to have that bill considered instead of the bill 13987, by unanimous consent. Of course that order would have to be made in the House instead of in Committee of the Whole.

Mr. FLOOD of Virginia. I did not catch what the gentleman said.

Mr. MANN. The gentleman reported yesterday House bill 38, with a substitute amendment, on the Territorial Legislature of Alaska.

Mr. FLOOD of Virginia. Yes.

Mr. MANN. I understood the gentleman desired to ask unanimous consent to consider House bill 38 instead of the bill that we had under consideration last Wednesday. If that is to be done, it would have to be done in the House. The Committee of the Whole would not have the power to do that.

Mr. FLOOD of Virginia. I am obliged to the gentleman from Illinois.

Mr. Speaker, I ask unanimous consent that House bill 38, with amendments, be substituted for House bill 13987, and I do it for this reason, Mr. Speaker: It was the intention of the committee to have House bill 38, with amendments, reported. I, as chairman of the Committee on the Territories, undertook to make that report, but the bill was printed as H. R. 13987, and it had my name on it as the patron of the bill. As a matter of fact, the Delegate from Alaska [Mr. WICKERSHAM] is the patron of the bill. And I want to say here that Alaska has been very fortunate in the last two Congresses in having a representative of such high character and splendid ability as Judge WICKERSHAM. [Applause.] He has done an immense amount of work on this bill and is the patron of it. It was not the intention of the Committee on the Territories or my intention to deprive him of the credit of being the patron of the bill, and so we have subsequently reported the bill H. R. 38 with amendments. I ask that that be substituted for the bill under consideration.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent that House bill 38 be substituted for House bill 13987, both being of the same tenor, for the reason he stated. Is there objection?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman from Virginia just how much difference there is in the amendment in the nature of a substitute which is reported as House bill 38 from the bill which is now under consideration? How much difference is there?

Mr. FLOOD of Virginia. Subsequent to the time that the bill was originally reported the committee acted upon three amendments and directed that they be offered here as committee amendments. Those three amendments have been incorporated in this subsequent print. That is the only difference.

Mr. FITZGERALD. Then, the effect of the request of the gentleman, if granted, will be this: There will be pending in the Committee of the Whole House on the state of the Union an amendment in the nature of a substitute. Any amendments that the committee may adopt to that amendment will be engrafted into it, but when the bill is reported to the House there will be no opportunity to obtain separate votes on such amendments. There will be only one amendment pending.

Mr. FLOOD of Virginia. That is practically the case with the bill that is pending.

Mr. FITZGERALD. No. The bill that is pending was reported, and every amendment adopted to it in the Committee of the Whole House on the state of the Union must be adopted in the House by a separate vote, if it be demanded. The House bill 38, as reported, is in the nature of a substitute, and whatever is done in the committee will be reported to the House as one amendment.

Mr. FLOOD of Virginia. What I desire to say to the gentleman is, that the pending bill makes numerous amendments to the bill as originally introduced, and the subsequent amendments that were adopted were practically immaterial, so that all the important amendments that were adopted by the committee are embodied in the bill as reported—the bill numbered 13987.

Mr. FITZGERALD. As long as the House now understands what the situation is, I shall not object.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent to substitute House bill 38 for House bill 13987.

Mr. MANN. That is, to consider House bill 38 instead of the other bill.

The SPEAKER. To consider House bill 38 instead of House bill 13987. That eliminates the difficulty that the gentleman from New York was talking about.

Mr. FITZGERALD. House bill 38 is reported to the House with an amendment in the nature of a substitute. I shall not object, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

Accordingly, under the rule, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 38) to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes, with Mr. CLINE in the chair.

Mr. FLOOD of Virginia. Mr. Chairman, I yield one hour to the gentleman from Alaska [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Chairman, the bill now before the House is a bill to create a Territorial legislature in the Territory of Alaska.

Alaska is one of the organized Territories of the United States in the same sense that Arizona and New Mexico were Territories before their admission into the Union as States. A Territorial form of government is that form of government which Congress establishes in a Territory. While section 4 of Article IV of the Constitution provides that "The United States shall guarantee to every State in this Union a republican form of government," there is no such or any constitutional guaranty that the government created in a Territory shall be republican in form. The Constitution provides (sec. 3, Art. IV):

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

A Territory is property belonging to the United States. If once incorporated into the body of the Nation, it will, when future development shall make it proper, become a State in the Union, but during the term of its Territorial pupilage it is subject to control by such form of government as Congress in its wisdom, or want of it, may establish over it.

In pursuance to its duty to make all needful rules and regulations respecting the Territory of Alaska, Congress created an executive department there and provided that the President should appoint our governor, by and with the advice and consent of the Senate; by the same act of Congress of May 17, 1884 (23 Stat. L., 24), a judicial department was also created in the Territory, and we now have the same executive and judicial departments in Alaska that Arizona and New Mexico had while Territories. Alaska does not now have, and never has had, a legislative department. Alaska has no lawmaking body other than the Congress of the United States. For 45 years Congress has acted as the Territorial legislature of Alaska, and the bill now before the House proposes to advance one step and create a Territorial legislature to be elected by the people of that Territory. It is now proposed by the bill before the House to give the 40,000 American citizens in that Territory a legislative body, with powers so limited that while the legislature may aid in a small way in developing the Territory it can not dispose of any rights in the public property there, nor authorize or legalize any of those aids to monopoly which the people of our country condemn.

Mr. Chairman, the bill before the House simply creates an elective legislative assembly in the Territory of Alaska. That and nothing more. It provides for the election by the people of the Territory of Alaska of 24 members of a local legislature. Eight of these legislators are to be members of the upper house, or senate, as the body is called in all the Territorial organic acts, and 16 of them are to be members of the lower house. It is provided in the bill that this house shall meet in the capital of the Territory of Alaska, at Juneau, once every two years. The term of that session is limited to 60 days, and the expense of the whole meeting of the legislature amounts to not more than $35,000.

Mr. AUSTIN. Will the gentleman yield?

Mr. WICKERSHAM. Certainly.

Mr. AUSTIN. Is the representation in the upper and lower houses based on population in each division?

Mr. WICKERSHAM. No; the apportionment is not based exactly on the population. The apportionment is made equally between the four judicial divisions that now exist by act of Congress in Alaska. The first judicial division is the southeastern division of Alaska, and the census gives the population of that division 15,216. The second is the Nome division in northwest Alaska, with a population of 12,351. The third division is the southern division, with a population of 20,078. The fourth division is the middle division, with a population of

16,711. And it is proposed to assume these four judicial divisions as the apportionment districts in the bill.

These four divisions are now judicial divisions. Congress has established the boundaries of these divisions by law, and we have a United States district court in each one of those divisions now. Each one of them has also a land office, and all public business in the Territory of Alaska is apportioned according to those four judicial divisions.

Mr. SLAYDEN. Will the gentleman yield?

Mr. WICKERSHAM. Certainly.

Mr. SLAYDEN. Is that population the gentleman has given according to the census of 1910?

Mr. WICKERSHAM. It is according to the census of 1910. Now, lest somebody may think that there is something in this bill which might be harmful, lest some who are interested in conserving the great natural resources of this Territory might imagine there is something in the bill which would give unfair advantages to the big interests in that Territory, I will say that there is not any power given to the Alaskan Legislature to dispose of any part or portion of the public domain in Alaska or any of the natural resources of the Territory. The power conferred is greatly limited, and consists largely in police power. No Territorial legislature ever created west of the Mississippi was so carefully limited as the Territorial Legislature of Alaska is limited by this bill.

Mr. AUSTIN. Is this a unanimous report of the committee?

Mr. WICKERSHAM. It is a unanimous report by the Committee on Territories and a unanimous recommendation that the bill do pass.

The bill now under consideration by the House has been before Congress in substantially its present form for several years. On December 4, 1905, Mr. SULZER, of New York, introduced a bill in the first session of the Fifty-ninth Congress (H. R. 330) entitled "A bill to create the Territory of Alaska and to provide for the government of the same."

The bill provided for the creation of a Territorial legislature, with the powers usually granted to such bodies, to be composed of 28 members, to be elected by the people. One day later, in the same Congress, a bill was introduced by Mr. JONES, of Washington, now the senior Senator from that State, "Providing a Territorial form of government for Alaska." It, too, provided for the creation of an elective legislative body for Alaska of 40 members.

On June 7, 1909, in the first session of the Sixty-first Congress, I introduced the original bill, of which that now before the House is the remainder, after immaterial sections relating to other matters have been stricken out. Immediately after the introduction of the bill I sent several thousand copies of it to the people and press in Alaska, with letters asking for criticisms and suggestions. It was published in every paper in the Territory, and the people, press, and politicians of the Territory have discussed it from that day to this, and have almost unanimously urged the passage of it or some similar bill.

The spirit of the bill now before the House has been considered by the national conventions of both the great parties on several occasions, and has been approved wherever it has been considered.

APPROVAL IN NATIONAL PLATFORMS.

In the Democratic convention of 1892, held at Chicago, Grover Cleveland, of New York, was nominated for President, and Adlai E. Stevenson, of Illinois, for Vice President. The eighteenth section of the platform adopted by that convention declared in favor of the admission of New Mexico and Arizona as States and then declared in favor of Territorial government as follows:

And while they remain Territories *we hold that the officials appointed to administer the government of any territory, together with the Districts of Columbia and Alaska, shall be bona fide residents of the Territory or District in which their duties are to be performed. The Democratic Party believes in home rule and the control of their own affairs by the people of the vicinage.*

The Republican convention of 1892 met at Minneapolis. It nominated Benjamin Harrison, of Indiana, for President, and Whitelaw Reid, of New York, for Vice President, and in its platform it declared:

All the Federal officers appointed for the Territories should be selected from bona fide residents thereof *and the right of self-government should be accorded as far as practicable.*

Four years later the Democratic national convention met in Chicago. It nominated William J. Bryan, of Nebraska, for President, and Arthur Sewell, of Maine, for Vice President, and in its platform again declared in favor of the admission of the Territories of New Mexico, Arizona, and Oklahoma as States, and then said of the Territories:

While they remain Territories, we hold that the officials appointed to administer the government of any Territory, *together with the District of Columbia and Alaska,* should be bona fide residents of the Territory or District in which their duties are to be performed. *The Democratic Party believes in home rule* and that all public lands of the United States should be appropriated to the establishment of free homes for American citizens.

The Republican convention of 1896 was held in St. Louis. It nominated William McKinley for President and Garret A. Hobart for Vice President, and in its platform it favored the admission of the Territories within the United States as States and declared:

All the Federal officers appointed for the Territories should be selected from bona fide residents thereof *and the right of self-government should be accorded as far as practicable.*

The Democratic convention of 1900 met in Kansas City. It nominated William J. Bryan for President and Adlai E. Stevenson for Vice President and in its platform it declared in favor of the admission of Arizona, New Mexico, and Oklahoma as States, and then said:

We promise the people of these Territories immediate statehood and home rule during their condition as Territories, *and we favor home rule and a Territorial form of government for Alaska and Porto Rico.*

In the Democratic convention of 1904, at St. Louis, Alton B. Parker, of New York, was nominated for President and Henry G. Davis, of West Virginia, for Vice President. The platform again favored the admission of Oklahoma and Indian Territory as States.

We also favor the immediate admission of Arizona and New Mexico as separate States *and a Territorial government for Alaska and Porto Rico.*

We hold that the officials appointed to administer the government of any Territory, as well as the District of Alaska, should be bona fide residents at the time of their appointment for the Territory or District in which their duties are to be performed.

The Republican convention of 1904, at Chicago, made no declaration in respect to home rule for Alaska, but it nominated Theodore Roosevelt, of New York, for President, and in his messages to Congress he called special attention to the necessity for home rule for Alaska, and in his message of December 3, 1907, he said:

I reiterate my recommendations of last year as regards Alaska. Some form of local self-government should be provided, as simple and inexpensive as possible; it is impossible for the Congress to devote the necessary time to all the little details of necessary Alaskan legislation.

At that time Alaska had both an executive and a judicial department similar to those created in other Territories, and it was of the necessity of creating a legislative department in Alaska, which it did not have, that President Roosevelt recommended to Congress. That missing department is provided in the bill now before the House.

The Democratic convention at Denver, in 1908, nominated William J. Bryan for President and John W. Kern for Vice President, and in its platform declared:

We demand for the people of Alaska and Porto Rico the full enjoyment of the rights and privileges of a Territorial form of government and that the officials appointed to administer the government of all our Territories and the District of Columbia should be thoroughly qualified by previous bona fide residence.

I make these quotations from the great party platforms in answer to any suggestion which may be made that the bill before the House is not approved as a political measure. In principle it has been approved time and again by both the national parties, as well as by President Roosevelt in his message of 1907.

APPROVAL BY ALASKA TERRITORIAL CONVENTIONS.

Not only have both great political parties in their platforms promised the people of the country and Alaska that Congress would form a Territorial government in Alaska and give the people there the right of self-government in so far as it is usual in Territories, but the Territorial conventions in Alaska of both parties have declared in favor of the same plan. Every Democratic Territorial convention held in that Territory has substantially declared in favor of the bill now before the House.

Both the Republican and Democratic conventions, held in Juneau, Alaska, in 1900, for the selection of delegates to their respective national conventions declared in favor of home rule; both the Democratic and Republican conventions, held in Juneau, Alaska, in 1904, for the selection of delegates to the national conventions passed similar resolutions. In 1908 both the Republican and Democratic Territorial conventions in Alaska passed similar resolutions, and the Republican convention instructed its delegates for Mr. Taft at the same time. Republican and Democratic conventions were held in Alaska this month. The Democratic convention was held on March 30 and, after nominating its candidate for Delegate to Congress, it adopted a platform, in which is this pledge:

HOME RULE.

The power to make the laws which are to govern us in our local affairs is but the application to Alaska of a right sanctified by the blood of our fathers and justified by more than a century of actual experience. Every Democratic convention ever held in Alaska has insisted upon that right, and we do but reiterate the utterances of those con-

ventions when we again represent to Congress: First, that the people of Alaska want home rule; second, that the people of Alaska ought to have home rule; third, that until the people of Alaska get home rule they will never cease demanding it as the right of American citizens. And we pledge to the people of Alaska, if elected, our candidate for Delegate will use every effort to secure the enactment of a law giving to Alaska a local legislature, elected by the people, with power covering every rightful subject of legislation not essentially national in character.

Upon that platform the Democratic Party is appealing to the people of Alaska to elect their candidate for Delegate.

On the same day that the Democratic convention met in Valdez and adopted the foregoing plank in their platform the Republicans in Alaska favorable to the renomination of Mr. Taft met in Cordova. The Republican convention nominated two delegates to the Chicago convention and instructed them to vote for the renomination of Mr. Taft. At the same time and as a part of the same transaction it adopted a platform the second plank of which reads as follows:

We insist that Congress give us a full Territorial form of government, similar to that of the late Territories of Arizona and New Mexico, and that any official appointed or elected to fill an office shall be a citizen of the United States and elector of Alaska.

Both political parties in Alaska are appealing to the people there for support upon the ground that they represent a political organization which will give to the people an elective Territorial legislature similar to that provided for in this bill. The convention which nominated the Taft delegates and instructed them to vote for his renomination in Chicago adopted a plank declaring in favor of a Territorial form of government even more unrestricted than the one provided for in this bill.

APPROVED BY OREGON, WASHINGTON, AND WISCONSIN.

The Legislature of the State of Washington is Republican. On January 17, 1911, that legislature passed the following joint memorial, introduced by Hon. Frank P. Goss, of Seattle, requesting their Senators and Members in the House of Representatives to support the requests therein made:

House joint memorial No. 3.

To the honorable Senate and House of Representatives in Congress assembled:

Whereas the Territory of Alaska is settled by a hardy, active, and energetic people, numbering more than 64,000 according to the Thirteenth Census, 1910, who have in the last 10 years added in gold and fish alone more than $225,000,000 to the wealth of the Nation, and whose trade with the merchants of the United States last year amounted to more than $52,000,000, being greater than our trade with China and twice as great in value as the trade with the Philippines; and

Whereas the development of the Territory is being greatly retarded by the want of a lawmaking or legislative body therein to be elected by the people:

Resolved by the House of Representatives of the State of Washington (the Senate concurring), That the Legislature of Washington does hereby declare its most earnest opinion that it is necessary to the development of the Pacific coast and of the resources and good government in Alaska that Congress shall, at the earliest possible date, pass an enabling act creating and providing for the organization of a Territorial legislature in Alaska to be elected by the American citizens resident therein, with such powers and limitations as have been usually given to and imposed upon such legislative assemblies in other Territories; and the Senators and Representatives in the Congress of the United States from the State of Washington are hereby requested to aid and assist in the securing of the passage of such a bill.

Resolved further, That a copy of this resolution be forthwith transmitted to the Senators from the State of Washington and to each Congressman from the State of Washington; also to each member of the Committees on the Territories of the House of Representatives and the Senate for their information in the premises.

Passed by the house January 17, 1911.

HOWARD D. TAYLOR,
Speaker of the House.

Passed by the senate January 20, 1911.

W. H. PAULHAMUS,
President of the Senate.

The Legislature of the State of Oregon is Republican, and on January 19, 1911, that legislature passed a joint resolution similar to the one passed by the State of Washington, as follows:

House joint resolution No. 4.

Whereas the Territory of Alaska is settled by a hardy, active, and energetic people, numbering more than 64,000 according to the Thirteenth Census, 1910, who have in the last 10 years added in gold and fish alone more than $225,000,000 to the wealth of the Nation, and whose trade with the merchants of the United States last year amounted to more than $52,000,000, being greater than our trade with China and twice as great in value as our trade with the Philippines; and

Whereas the development of the Territory is being greatly retarded by the want of a lawmaking or legislative body therein, to be elected by the people:

Resolved by the Legislative Assembly of the State of Oregon (the Senate and House jointly concurring), That we do hereby declare our most earnest opinion that it is necessary to the development of the Pacific coast and of the resources of and good government in Alaska that the Congress of the United States shall, at the earliest possible date, pass an enabling act creating and providing for the organization of a Territorial legislature in Alaska, to be elected by the American citizens resident therein, with such powers and limitations as have been usually given to and imposed upon such legislative assemblies in other Territories; and the Senators and Representatives in the Congress of the United States from the State of Oregon are hereby requested to aid and assist in securing the passage of such a bill.

Adopted by the house January 19, 1911.

JOHN P. RUSK,
Speaker of the House.

Concurred in by the senate January 26, 1911.

BEN SELLING,
President of the Senate.

Indorsement: House joint resolution No. 4. Chief clerk. Filed in the office of the seceretary of state January 31, 1911.

F. W. BENSON, *Secretary of State.*

The Legislature of the State of Wisconsin is Republican, and in June, 1911, at the request of Senator LA FOLLETTE, that legislature passed the following resolution declaring in favor of a Territorial legislature in Alaska:

Joint resolution (J. Res. 48, S.) memorializing Congress to grant to Alaska a Territorial form of government.

Whereas the Territory of Alaska has recently developed into a Territory of great wealth settled by a large number of worthy residents, mostly Americans, whose number is constantly increasing; and

Whereas industrial and social conditions there existent have suffered from the absence of a legislative body therein: Therefore be it

Resolved by the senate (the assembly concurring), That the Congress of the United States be respectfully memorialized promptly to take such steps as may be necessary to provide for the organization of a Territorial legislature in Alaska, to be representative of the American citizenship there resident, with such powers and limitations as have usually been given to and imposed upon legislative assemblies in other Territories of the Nation; and be it

Resolved further, That a copy of this resolution be sent to each Member of Congress and to each United States Senator representing this State, to the Speaker of the House of Representatives, and to the President of the United States.

THOMAS MORRIS,
President of the Senate.
C. A. INGRAM,
Speaker of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Many other conventions of the people of the Pacific coast, without regard to politics, have passed resolutions in favor of a better government in the Territory of Alaska. Many of them have declared specifically in favor of the creation of an elective Territorial legislature in that Territory, while others have confined themselves to general phrases in respect to a better form of government there. However, all of the people of the Pacific coast understand that Alaska is without any legislative body, and it is generally recognized by the people of the coast, without regard to politics, that there can be no real development there until Congress shall have given to the people of the Territory the right to organize their own legislative body and make laws for their own government.

PRESS APPEAL TO PRESIDENT TAFT.

On September 29, 1909, before President Taft had declared any policy in respect to the creation of an elective Territorial legislature in Alaska, the united press, the mayors of incorporated towns, and the representatives of the larger business organizations sent him a telegram to Seattle, Wash., where he then happened to be, requesting him to recommend in his next message to Congress and give his support to the creation of an elective legislature in Alaska, as follows:

FAIRBANKS, ALASKA, *September 29, 1909.*

WILLIAM H. TAFT,
President of the United States, Seattle, Wash.:

A united press and people of Alaska, in aid of constructive legislation for the creation of a government by the people in this Territory, and in aid of the development of its natural resources, respectfully request you to recommend in your next message to Congress and give your support to the creation of an elective Alaskan legislature in substantial conformity with Delegate WICKERSHAM'S bill, introduced at the recent special session of Congress.

Newspapers: Fairbanks Daily News-Miner; Fairbanks Daily Times; Daily Nome Gold Digger, Nome; Daily Nome Nugget, Nome; Skagway Alaskan, Skagway; Daily Miner, Ketchikan; Daily Alaskan Dispatch, Juneau; Pioneer Press, Haines; Seward Gateway, Seward; Hot Springs Echo, Hot Springs; Tanana Leader, Fort Gibbon; Valdez Prospector, Valdez; Cordova North Star, Cordova; Tanana Miner, Chena; Daily Tanana Tribune, Fairbanks; Douglas Island News, Douglas. Mayors: E. Valentine, mayor, Juneau; W. B. Watts, mayor, Nome; T. Tonseth, mayor, Chena; L. Archibald, mayor, Valdez; C. Ott, mayor, Eagle; H. Ashley, mayor, Skagway; Jos. H. Smith, mayor, Fairbanks; E. O. Smith, president Sitka Chamber of Commerce; F. G. Hale, president Seward Chamber of Commerce.

That telegram was signed by all the newspapers in Alaska except two.

BILL APPROVED BY COMMERCIAL BODIES.

On April 20, 1911, all the commercial clubs of Seattle, with which Alaska does much of its trade, passed the following resolution:

Resolved, That this joint Alaskan committee, representing the Arctic Club, the Chamber of Commerce, the Rotary Club, the Commercial Club, and the Alaskan committee of the American Mining Congress, hereby indorses the proposition of empowering the people of Alaska to exercise the right of local self-government by means of a Territorial form of government with an elective legislature, and we respectfully urge upon

Congress and the President the enactment of the legislation necessary to carry the purposes of this resolution into effect.

BILL APPROVED BY PACIFIC COAST PRESS.

Not only have the national political conventions of the two great parties, the Legislatures of Oregon, Washington, and Wisconsin, and the political conventions of all parties in Alaska declared in favor of the development of government therein, but the matter has been widely and favorably discussed by the newspapers upon the Pacific coast and in Alaska.

The senior Senator from the State of Washington introduced the bill now before the House in the Senate at my request, and that fact has been referred to approvingly in the newspapers in his State. The leading Republican paper in the city of Seattle, of which Mr. Erastus Brainerd was for many years the editor, in its issue of May 25, 1911, in support of the nonpartisan efforts of all the commercial bodies of the city of Seattle in aid of the passage of this bill, said:

ALASKA NEEDS SELF-GOVERNMENT.

Senator JONES, of this State, and Delegate WICKERSHAM, of Alaska, are working in harmony on behalf of the bill prepared and introduced by the former providing for a full Territorial government for Alaska. As the Senate Committee on Territories, before which the matter first comes up, is almost entirely new, composed of Senators who have not committed themselves on the subject, the prospect for a favorable report on the bill is better than it was in any previous Congress.

There is not now and there has not been for years any sound argument for denying the people of Alaska the right which has been freely accorded other American communities situated as they are, that of local self-government with a local legislative body. Every one of the arguments used against the proposed form of government has been based upon misconception or upon downright misrepresentations.

These arguments can be easily refuted before any persons who care to inform themselves upon the subject. Alaska has a permanent population considerably larger than many of the States had at the time when they were admitted into the Union. Means of communication between the different parts of the Territory are far better than were the means of communication between different parts of the older Territories at the time when they were organized and given full powers of local self-government.

The influence of outside investors in Alaska has been much stronger before Congress and the departments than that of the permanent residents of the Territory. The big corporations which have made investments in Alaska do not care to find themselves subjected to the jurisdiction of a local legislature. They prefer the indifference of Congress to the activities of a local body interested in protecting the people.

Of course, each argument against granting Alaska Territorial government has to disregard absolutely every fundamental principle upon which this Government was founded, but many people are perfectly willing to abandon all questions of fundamental principle when the question is of the rights of a community in which they are not directly interested.

BRYAN FAVORS HOME RULE.

William Jennings Bryan, in a speech in the city of Seattle in October, 1909, in reference to this matter, declared:

Pioneers of this great Northwest, men far sighted, resolute in purpose, who braved the dangers of the wilderness of Alaska, have asked that they be recognized as capable of attending to their own affairs. Are you afraid to trust them? You can not refuse their request without reflecting on the principle of self-government. They have intelligence and capabilities as well as the right. Alaska should have the right of self-government.

When William Jennings Bryan, thrice a candidate for the office of President of the United States, said this in the natural amphitheater at the exposition grounds, where nearly 20,000 people had assembled to greet him, he was opposing the views of President William H. Taft, expressed on the same platform, on his recent visit to the exposition.

Mr. Taft said, in his exposition speech, September 30, that—

Local self-government or home rule in a country so large as Alaska, with a scattered nomadic population, intense local and sectional feeling, should not be given serious consideration until the population and developed resources of the country have increased to such an extent as to warrant the division of the Territory into more limited areas, where the inhabitants of each would have an opportunity of becoming acquainted and there would be some degree of similarity of interests.

He suggested that the local legislative powers be intrusted to a commission of five or more members, appointed by the President, to act with the governor in the matter of local legislation.

Alaska has a right to make her own mistakes—

Continued Mr. Bryan—

If she makes mistakes she will suffer from them and then correct them; but if we deny her self-government and, in an attempt to dictate her local affairs, make mistakes, they will be responsible for the condition of affairs which follow. Alaska is asking for just what they are fighting for the world over. They want to be the architects of their own destiny and the guardians of their own affairs.

You can not refuse this.

I wish now to put in the RECORD a few editorials from representative newspapers of the Northwest in favor of the effort of Alaska to secure an elective legislative body; it would be easy to read 10 for every 1 that is quoted, but the following may be accepted as typical of the great mass of editorial comment in favor of the bill now before the House:

[Editorial, Seattle Times, Seattle, Wash.]

WHY SHOULD ALASKANS NOT GOVERN THEMSELVES?

Why should Alaska not govern itself? The question is pertinent. It comes at a time just succeeding the visits to Seattle of America's two most distinguished citizens, the one in official life, the other in private life—President Taft and Mr. Bryan.

Both of them had something to say about Alaska, and as is usually the case, each found himself on the opposite side of the question from the other.

President Taft, having appointed a governor from a point just about as far away from Alaska as he could get and still remain within the United States, says that on the whole he favors governing Alaska by commission.

Mr. Bryan favors home rule for Alaska. He believes that pioneer American citizens who are big and brave and strong enough to develop that wonderful Territory are able to govern themselves.

If Mr. Taft, after his preliminary training in Cuba and the Philippines, had been willing to let it go at that he would not have exposed himself to a charge of inconsistency, although there is not the least doubt that Alaskans, being the twentieth century representatives of the rugged type that has always pushed forward and built America from the beginning, are entitled to resent the imputation that they are in a class with men of Spanish descent. Alaskans generally are of Anglo-Saxon stock—the race above all others in the history of the world that has embodied the genius of self-government—while Cubans and the Filipinos are tinctured with Latin blood, the volatile, effervescent quality that does not readily adapt itself to "government by the people."

Almost immediately after visiting Seattle and saying that Alaska ought to be governed by a commission President Taft speaks to the people of Arizona, another community of broad-gauge citizens who have literally carved their own way out of the resources offered by nature, and to them he says:

"I am going to help carry out the promise of statehood for Arizona as far as I can."

There is scarcely a western man throughout the broad expanse from the Arctic to the Mexican line but will agree with the President that Arizonians are entitled to statehood. They have fought for it more than a generation; and they have forced the Republican Party to come to a declaration for separate statehood after Roosevelt and Beveridge would literally have rammed down their throats the abhorrent scheme of joint statehood with New Mexico for the sole purpose of depriving the mighty West of two United States Senators.

But if Arizona is able to govern itself, why should Alaska, which is self-constrained, reliant, and long-suffering, be placed under the domination of a "foreigner" as governor or under a "foreign" commission?

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[Editorial, Seward Gateway, Seward, Oct. 2, 1909.]

ALASKA, THE RED-HAIRED BOY.

The attitude taken by President Taft in regard to a Territorial form of government for Alaska is a sore disappointment to the bona fide residents of the Territory, who have been praying for relief from the present system, under which Alaska has been misruled. Assuming that the Chief Executive will adhere to his expressed policy in this regard, all hope for relief under the present administration is useless waste of energy, for, without the powerful aid of the President, Alaska has not enough friends in Congress to pass legislation.

The President favors government of Alaska by a commission of Washington officials. The idea is repugnant to American citizens. It implies a want of confidence in the people of Alaska to govern their own affairs. It is un-American in principle. Such a form of rule merits the most caustic criticism of the inhabitants of the Territory. And we doubt not that it will get it if attempted.

It is an unfortunate state of affairs to thus be placed on a par with the semicivilized people. The citizenship of Alaska may be said, without boasting, to be composed of the most progressive, the most self-reliant, the most intelligent of any in any State or Territory in the Union, if we may be permitted to place ourselves within this Union for purposes of comparison. The people in Alaska are pioneers, engaged in throwing into the channels of commerce the great resources of the Territory. They are hewing out homes in a great country for future generations. They are qualified in every respect for the full duties of citizenship. For the President to deny them this, their heritage, subject them to taxation without representation, compel them to be governed by a commission composed of officials who have no material interest in the country, and who will undoubtedly inflict upon us all sorts of theories of government, is not an encouraging prospect. Alaska is the red-haired boy in the Nation's family.

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[Skagway Alaskan, Skagway, Oct. 20, 1909.]

PEOPLE OF SITKA ADOPT HOME-RULE RESOLUTIONS.

The following resolutions indorsing the Wickersham home-rule bill were drawn up and adopted unanimously by the people of Sitka at a mass meeting held Cession day, October 18. Dr. Goddard presided as chairman of the meeting and the resolutions were introduced by E. Otis Smith:

"We, the people of Sitka, Alaska, in public meeting assembled on this forty-second anniversary of the cession of Alaska to the United States from Russia, believing that this great Territory has reached such a stage of development that Congress can no longer refuse to admit our people 'to the enjoyment of all the rights, advantages, and immunities of citizens of the United States,' as promised in the treaty with Russia, and that it is our God-given right as American citizens to ourselves enact the laws under which we must live, do hereby

"*Resolve*, That the bill introduced by the Hon. JAMES WICKERSHAM, and now pending before the House of Representatives, to create an assembly in the Territory is to the best interests of Alaska, and will further its welfare and development."

—

[Editorial, Seattle Post-Intelligencer, Seattle, Wash.]

ALASKA WANTS HOME RULE.

Practically all of the newspapers published in Alaska, the mayors of all of the incorporated towns, and the presidents of all the organized commercial bodies in that Territory have united in a cable message to President Taft asking the support of the President for legislation for the creation of a government by the people for Alaska, and that the President urge upon Congress the creation of an Alaskan legislature in substantial conformity with the Wickersham bill.

This request should make a profound impression upon the President, who interested himself so strongly in procuring for the people of the Philippines that local self-government which Congress has persistently denied to the white Americans who people Alaska.

Alaska has been the stepchild among the Territories. All other Territories were accorded local legislatures from the moment of their creation, notwithstanding all the drawbacks of scanty population,

meager resources, and imperfect means of communication. This has been the case since the foundation of the Government. Hawaii, Porto Rico, and the Philippines, peopled by aliens to the traditions of self-government, were promptly given the privilege of conducting their local affairs. Alaska alone, for no reason save that outside investors there object, has been denied any share in its local government; can not make its local laws, or levy or disburse taxes for local purposes, save in the few and scattered municipalities.

From every standpoint the situation is outrageous. There is absolutely no excuse or warrant for it. It exists only because Congress and the Executive have been assured over and over again by representatives of the outside capital invested in Alaska that the people of the Territory did not really want a local legislature. The telegram from the representative people of Alaska to the President shows, beyond any question of a doubt, the falsity of that statement.

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[Editorial, Katalla Herald, Katalla, June 19, 1909.]

THE TERRITORIAL BILL.

We gather from the press dispatches that Delegate WICKERSHAM has introduced in Congress a bill providing a form of self-government for the people of Alaska. The information contained in the dispatches is meager, and only the barest outline of the bill is obtainable. It provides, however, for a legislature consisting of two branches, the senate to have 8 members—2 from each of the 4 judicial divisions—and a house of 16 members—4 members from each division. Provision is also made to limit the amount of taxes that can be levied upon real property to 1 per cent per annum.

We assume that the bill has been carefully drawn, and by one who is thoroughly acquainted with conditions in every part of Alaska, and, so far as we are able to form an opinion of its different provisions, it should be acceptable to Alaskans. That it will meet with opposition from the big corporations doing business in the Territory may be taken for granted, but these institutions may as well heed the handwriting on the wall—Alaska is going to have home rule, and have it soon.

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[Editorial, North Star, Cordova.]

PRESIDENT IS SURPRISED.

Press dispatches state that President Taft was surprised at the storm of protests raised by his declaration against home rule. He was quoted as saying unofficially that he would make no recommendations to Congress touching the interests of this Territory until after he had visited the Northland.

We hope this is true, at least so far as self-government is concerned. He would find an entirely different state of affairs from what he has been led to believe. Judging from his remarks, the "interests" and not the common people have given him his views of Alaska and Alaskans.

With every newspaper in the Territory declaring for home rule, save two, controlled by corporations, it is not a difficult matter to gauge the public sentiment. Newspapers not serving special interests may be depended upon to voice the sentiments of their respective communities.

The community interests are their interests, and the nearer a paper can come to serving these the greater will be the influence and sphere of usefulness. We are satisfied that Mr. Taft will reconstruct his views once he is made acquainted with the real conditions in Alaska. When he sees and understands the aims, views, and ambitions of the representative American citizens of this Northland he will not want to deny them the privileges that are now extended to natives in other insular possessions.

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[Editorial, Daily Miner, Ketchikan, Oct. 6, 1909.]

President Taft's speech on Alaska is a disappointment. He knows *nothing* of Alaska except from hearsay, and the only person authorized to speak for Alaska is JAMES WICKERSHAM. It follows then that Mr. Taft has utterly ignored the Alaskan Representative and listened to some of the ward heelers who are playing the political game in the Northland. He has ignored nearly all the mayors and nearly all the newspapers and says practically that at least 40,000 people up here don't know what they want, because a half dozen carpetbaggers told him so.

Mr. Clark in his speech has not committed himself to any political belief. He comes up here, of course, primed with the Taft idea of government by carpetbag, but had not set foot in the Territory an hour until he felt the unanimous sentiment for self-government. If he favored it the administration would recall him and if he opposed it an outraged people would accomplish his overthrow; so he said nothing. And nothing is just the proper thing to keep on saying until he visits the various parts of the Territory.

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[Editorial, Alaska Daily Dispatch, Juneau, Oct. 2, 1909.]

The address of President Taft, while a blow to the advocates of Territorial government in Alaska, will not dishearten the brave men of the North who have been fighting for an American form of government. That the President of the United States should so broadly oppose such a move is indeed substantial opposition and the Territorialists can only hope by honest representation to overcome this opposition. That the President has been ill advised about conditions North goes without question. Now is the time for every Territorialist to buckle to the fight and stay with it until the victory is won. We have the argument and the facts. The opposition has the ear of the President for the time being. When the great light comes they will be exposed as obstructionists seeking to sack Alaska under the guise of being its benefactors. Do not be discouraged, but remain steadfast, demanding that right prevail.

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[Editorial, Cordova North Star, 1909, Cordova.]

THE WICKERSHAM BILL.

Delegate WICKERSHAM has asked for an expression of home rule from Alaskan papers. His purpose is to interest President Taft in his measure by sending him the expressions obtained when the President reaches Seattle.

A good many people seem to have the impression that the granting of autonomy to Alaska means an additional expense and greatly increased taxes; that, in fact, the Territory must cut itself adrift from the Federal craft and sink or swim through its own efforts. This is not the intent of the Wickersham bill, as we gather from reading it. It is a compromise measure, the first step, as it were, for a fuller and more complete form of Territorial government to follow afterwards. The purpose is to retain all the benefits now derived from Federal sources and at the same time exercise control over a thousand and one things which materially affect the interests of the people living in the Territory and for which Congress is too busy to devote the time.

According to the bill no law should be passed interfering with the primary disposal of the soil; the property of the United States shall not be taxed; nonresidents are to receive the same consideration in the matter of taxes as residents. No special franchise or privileges can be granted without the affirmative approval of Congress, but the legislature may, "by general act, permit persons to associate themselves together as bodies corporate for manufacturing, mining, agricultural, and other industrial pursuits, and for the conducting of business insurance, savings banks (but not of issue), loan, trust, and guaranty associations, for the establishment and conduct of cemeteries, and for the construction and operation of railroads, wagon roads, vessels, and irrigation ditches, or for colleges, seminaries, churches, libraries, or any other benevolent, charitable, or scientific association."

The same laws as now in force against gambling and lotteries are included in the legislative functions, as well as the bonded indebtedness of municipalities. "No tax shall be levied for Territorial purposes in excess of 1 per cent upon the assessed valuation of property," nor shall any incorporated town levy any tax in excess of 2 per cent. All laws passed must be submitted to Congress for affirmative action. The bill provides that the expense of the legislative assembly shall be paid by the United States. Each member is to get $15 per day while the legislature is in session and 15 cents mileage for each mile traveled. The legislative assembly will take charge of the justices of the peace, probate judges, and other offices now held by commissioners, for which elections will be provided.

By the terms of the bill a "school and road fund is created from the revenues of all Federal licenses outside of incorporated towns, half of which is to be devoted to the schools and the other half to the roads outside of incorporated towns. Money from these sources is to be paid by the clerk of the courts directly into the hands of the treasurer of the Territory, instead of the United States Treasury."

It will be seen that the bill is far from being an out-and-out fledged Territorial bill, such as was granted to other Territories.

The people of Alaska are fully capable of looking after their own affairs. As for population, the lack of which is the principal criticism now heard, we shall have all the population we need in another three or four years' time. Meantime, we would like to have a little to say about the fashioning of this northland of ours; the people generally would like to have something to say, and some form of local government is necessary for giving them the elective representatives. This is the birthright of every American.

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[Editorial, Pioneer Press, Haines, Sept. 24, 1909.]

The Pioneer Press received a wire from Delegate JAMES WICKERSHAM last Saturday asking us to join with him in sending a request to President Taft when he arrived in Seattle asking that he recommend that Congress pass a bill creating a territorial legislature for Alaska. The Pioneer Press wired Mr. WICKERSHAM, heartily indorsing the proposed move, as it knows it to represent the sentiments of an overwhelming majority of the people of Haines.

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[Editorial, North Star, Cordova.]

MR. TAFT ON HOME RULE.

President Taft has spoken. He admits that this Territory has suffered from congressional neglect and that it is impossible for Congress to look after its legislative needs in detail owing to a press of other matters, and yet he would deny Alaskans the right to govern themselves.

Instead of allowing us a legislative body elected by our own people, he favors a plan for a bureau or commission at Washington, D. C. Here speaks the politician rather than the broad, conservative statesman; either that, or else Mr. Taft has been misinformed as to the real conditions in Alaska and has taken his views from those who seek to dominate the Territory politically and industrially, as they have heretofore and at the expense of the rank and file and their interests.

The press dispatches do not state whether this proposed bureau shall be elective or appointive. In either case it will prove a poor substitute for an elective legislature. If appointive, to whom will the President go for his advice in choosing men to act for Alaska? Not to the people of Alaska, that much is certain. It will be the same old game of politics that Alaskans have watched and suffered so long from already. A few persons with political debts to pay will be the real governing body, and the Territory will continue to be a dumping ground for those who can not be taken care of in the States owing to competition for congressional and senatorial favors. In the future, the same as in the past, capable, efficient, and honest Alaskans will be passed up and ignored for outside seekers of political crumbs. We hoped for better things at the hands of President Taft than that, and should the members of his commission be made elective we fail to see wherein a bureau maintained at Washington, D. C., would be an improvement over a local legislative assembly.

The old, worn-out, and threadbare statement that Alaska is not ready for self-government because it is too sparsely settled and its population too migratory has already served the purpose of designing politicians working for the big interests. How about the schools, the many fine residences, the many and growing number of farms, the costly public buildings, and more especially the thousands of women and children who now form a part of this northland? What about the natural and patriotic pride of the Alaskans for their northland? Do not these and a thousand other signs, the building of railroads, the public telephones, and electric light and power systems, the utilization of power, and the many small and growing home industries refute such an argument?

President Taft is quoted as saying that another objection to home rule is the fact that the centers of population would control politics. Certainly. Seattle and King County controlled Washington State politics for years. Portland is a greater political power than the whole of the State of Oregon. It has held absolute dominion so long that on numerous occasions the eastern Oregon people have threatened to form a separate State. During the present year the people of southern Oregon threatened to secede because of the dominating influence of Multnomah County politics. No matter how densely Alaska is populated, there will always be centers of population. The majority always rules, or are supposed to rule, in politics. Apportionment and everything else is based on population. The power of New York State politics for a long time was greater than that of the entire Western States combined. We are surprised that President Taft should urge such a reason for declaring against home rule.

The real truth of the matter is that the big interests do not want to see Alaska have any form of local government. Consciously or unconsciously, President Taft is playing into their hands. Most assuredly they do not want to see steamship rates regulated or the service interferred with in any manner, nor railroad rates and the transportation

service subjected to inquiry, and, above all, they do not want to be taxed. Their desire and aim is to take away the millions that their capital will earn them to enrich eastern stockholders and others without having to pay toll to support any form of self-government. The immense fishing interests along the coast purpose to remain free from taxation. The present form of government is their ideal.

The longer self-government is held up and the right of franchise denied American citizens the better it will be for the big interests and the longer a few will profit at the expense of the country. Capital is needed to help develop the northland, and should be given every reasonable encouragement, but it should not be allowed to keep the Territory in thraldom, and Mr. Taft's announced policy will permit it to do that very thing.

[Editorial, Dawson News (Yukon Territory), Canada.]

HOME RULE FOR ALASKA.

Ex-Judge WICKERSHAM, congressional Delegate of Alaska, has the intention of presenting President Taft at Seattle with a petition requesting him to recommend in his forthcoming message to Congress a bill for the creation of an Alaskan Territorial legislature. Mr. WICKERSHAM has asked the Alaskan newspapers to sign this petition, and it is believed at this writing that all have done so with the exception of the Juneau Record, which is a strong Hoggatt organ. By virtue of the fact that the News has a large circulation along the American Yukon and in Tanana, a request has been made for its support to this movement.

The News has no hesitation in giving it and heartily indorses the proposed bill presented by Mr. WICKERSHAM to the last Congress. This is in itself a conservative measure, which has not found favor with the ultra home rulers of Alaska because it does not go far enough. But one can not fail to have confidence in the knowledge and experience of conditions in Alaska possessed by the Delegate and his ability to frame a form of government best suited to them. That he should begin by asking only a limited form of home government is undoubtedly wisdom, for many obvious reasons.

But the underlying principle is self-government and to this principle the News heartily joins the newspapers of Alaska in supporting. It could not be otherwise, as this newspaper has always been a consistent fighter for the extension of this principle to our own Territory, and this year had the satisfaction of seeing a wholly elective Yukon council in session, charged with the duty of administering our Territorial affairs. In our case it is home rule with certain limitations, but these are eminently necessary in order that we may have opportunity to prove our self-governing capacity and our self-sustaining ability before letting go of the paternal apron strings of the Federal Government. The situation is exactly the same in Alaska, and Mr. WICKERSHAM'S efforts for the creation of a Territorial legislature for Alaska have our most sincere support.

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[Skagway Alaskan, Skagway, Oct. 21, 1909.]

CONGDON THINKS ALASKA SHOULD HAVE HOME RULE.

Frederick T. Congdon, of Dawson, member of Parliament from the Yukon, arrived in town yesterday and left to-day on the *Humboldt* for Vancouver, where he will attend the meeting of the Canadian railroad commission October 27. From there Mr. Congdon will proceed to Ottawa, where Parliament convenes November 11.

Mr. Congdon takes issue with President Taft and the other opponents of home rule, and states that he believes Alaska is entitled to home rule; that its people are amply capable of governing themselves; and that home rule in Alaska would be as successful as it has proven in the Yukon, where conditions are analogous.

"I have not read President Taft's address in its entirety," said Mr. Congdon, "but I have read so many comments that I feel perfectly familiar with it. I do not want to appear to criticize your President, but I certainly feel that he has been misinformed and does not appreciate conditions in the North. It is ridiculous to say that Alaskans are not capable of self-government. I know no people in the world where the average standard of intelligence is so high. Of course you would make mistakes at first, just as the Yukon council did, but the government would be far more satisfactory than to be governed by officials at Washington. That people are not 'fit for self-government' has been the plea of autocrats the world over. The only way for people to become fit for government is by experience."

Continuing, Mr. Congdon stated that self-government was eminently satisfactory in the Yukon, and that the peculiar local needs of the people were given better attention than they could possibly receive under a government from Ottawa. Mr. Congdon stated that he thought Alaska was too large and had too many diversified interests to be placed under one government, and to obviate these conditions he believed it should be divided into two or three distinct territories.

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[Editorial, Valdez Prospector, Valdez.]

The press dispatches do not make it clear just what kind of Territorial government in Alaska the President opposes. It already has everything that goes with an organized Territory, except a legislature and county organizations. Nobody has been heard to favor division into counties at this time. Nine-tenths of the people favor a local legislature, because they believe that such a legislature, made up of just such indifferent material as the average State legislature, can legislate for Alaska more wisely than a commission of eastern politicians who need the salary. They hope some day to convince Congress that this is so.

In the meantime it is useless to become excited and make an unseemly fuss because the cards are stacked. Some day governmental wisdom will learn that Alaska is quite as civilized as the Philippines. Until then let us keep on shouting for the old flag and an appropriation. The more appropriations the better. They always come in handy.

[Editorial, Nome Nugget, Nome.]

THE PRESIDENT'S POSITION.

The news that President Taft is opposed to a Territorial form of government for Alaska came somewhat in the nature of a bombshell explosion in its suddenness. For some time past many Alaskans had fondly deluded themselves in the hope that the election of Taft, with his predisposition to deal out justice equitably and fairly, would bring a surcease of troubles under which we labor.

Of course there is a great deal to be said for Mr. Taft's side of the argument, and he can not be accused of having taken his present stand on Alaskan affairs hurriedly. He has given the subject deep study. While it is admitted that the people of Alaska would be placed under a heavy burden of expense by Territorial form of government, we fail to see how the organic law suggested would allow the larger centers of population to dominate the smaller ones, as the Executive claims, any more than is the case in any State in the Union.

Being a lawyer of no mean ability, we should have thought that President Taft would have known that Alaska is the one country in the world where the American Constitution has not followed the American flag. One of the principles laid down by our forefathers shortly after their victory in the Revolutionary War was that there should be "no taxation without representation." Yet to-day Alaskans are in precisely the same position as were the American colonists before the tea-party episode in Boston Harbor.

Every man has a right to a voice in the making of the laws which he must obey. It is one of the inalienable rights of every free American citizen. It is true that his right of voice may not always be wisely exercised, and it is equally true that the benefits derived therefrom are often of a minor value. But it is his right just the same.

Now the question confronting Alaskans is: "Is the right of electing a legislature and making laws to suit your conditions worth to you what it will cost?"

President Taft says it is not.

Most Alaskans beg leave to differ.

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[Editorial, Tanana Leader, Fort Gibbon, Sept. 9, 1909.]

Miners and others, according to Fairbanks papers, are devoting much time to the discussion of the bills introduced into Congress by Delegate WICKERSHAM. Full criticism of the various measures was invited by the Delegate, and he is too astute a politician and too well acquainted with Alaskan characteristics to expect that they will not be attacked at every vulnerable part—their weak spots held to the light, while by many the stronger points in their make-up will be lost sight of. If the manner of man WICKERSHAM is may be taken as a criterion, he will pay heed to what he hears, accept such suggestions as he believes will add strength to the bills, and then fight for their passage by Congress in the shape he thinks the most feasible. He is not likely to incorporate in any of them anything that his own judgment or conscience does not approve, for, to put it mildly, self-reliance is the finale of WICKERSHAM'S philosophy.

Of the four bills, what is termed the Territorial bill is the most important. The section in this bill more vigorously assailed than others reads as follows:

"SEC. 26. That all laws passed by the Legislative Assembly of the Territory of Alaska shall be submitted to Congress by the President of the United States, and, if disapproved by Congress, they shall be null and of no effect."

Really, it would appear that the objectionable features of this section are microscopic, if not nonexistent. Note the difference in the necessity for Congress to approve laws before they can become effective from the necessity to disapprove them before they can become noneffective, and the danger from the above-quoted section will be seen to be small. If Congress should ever find time and inclination to nullify a law passed by the proposed assembly (which might not happen at all), Alaska would be in no worse condition with regard to that particular law than it would be—having no assembly of its own—should Congress fail to pass the law in question. And surely, if Congress should ever so nullify a law, enough good would still remain to make us all thankful we had advanced from the position occupied at the present time.

As a whole the Territorial bill is remarkably good, and Delegate WICKERSHAM, when he returns to Washington, ought to know that in the fight for its passage he has the backing of a people who, though scattered over a Territory immense in area, are as one on a subject so vital to their future welfare.

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[Editorial, Nome Gold-Digger, Nome.]

Delegate WICKERSHAM invites the friendly criticism of the Alaskan people concerning the bills he introduced in Congress last winter, and by so doing paves the way for them to work in conjunction with him on Alaska legislation.

Of course a Representative could not adopt such a wide-reaching system of arriving at the desires of the people and then actually do everything they ask, but he will be able to determine a great number of their wants and then do the best possible toward obtaining them.

Representatives of and for the people sometimes forget that they are this, and legislate according to their own ideas, giving no thought to the public popular opinion. One man thinks for the thousands. But with WICKERSHAM he wants the expression from the people themselves. He would have them respond to his circular letters containing copies of the bills he introduced offering suggestions concerning them.

It is rather nice in the Delegate to extend such an invitation to the Alaskan people, whether their suggestions are acted upon or not. It will give the people a chance to say something about the needed legislation, pleasing them much; for men are flattered when they are told that "We will do this thing or that."

The Delegate asks for suggestions as to the legislation the people want, and will take from the numerous letters he receives a general impression. He will draw his own conclusions from the letters and then act according to his own judgment. Besides, WICKERSHAM is to visit Alaska this summer, and no doubt will make an effort to get at the wants of the people by actual contact with them.

Though little was effected for Alaska the past winter, WICKERSHAM worked hard, and now that Alaska governors will not be permitted to "butt in," future Delegates may accomplish something worth while.

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[Editorial, Seward Gateway, Seward, June 12, 1909.]

While Delegate WICKERSHAM'S home-rule bill is an extremely modified form of self-government, it is a step in the right direction. At all events it can be no worse than the present system of government under which Alaska struggles, ruled as it is by officials who have never seen the Territory, know nothing of conditions maintaining, fail to recognize its commercial importance, and who are indifferent regarding its welfare and advancement.

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[Editorial, Daily Miner, Ketchikan, Alaska.]

PEOPLE NEED HOME RULE.

President Taft has declared that the present system of governing Alaska is not satisfactory. He wants to change it, and in that respect he is in accord with 90 per cent of our population. One difference between Mr. Taft and the rest of us is the way the change is to be made. Mr. Taft wants to add to his already overgrown appointive privilege by being given the power to select a commission to formulate laws for Alaska, and we want to elect our own commission to do that work.

Mr. Taft is inconsistent. He has already appointed everyone who has anything to do with the governing of this Territory, and admits it is a failure.

In order to correct that failure he proposes to appoint a lot more, who, if they consistently follow the course of the previous appointees, will only make the failure more gigantic.

No question is ever settled until it is settled right, and no system of government was ever worth living under until it got into the hands of the people who are to be governed. A commission of outsiders can never be made to stick in Alaska or any other country where the population is not chicken livered; so all this talk of an appointive commission is drivel so far as the settlement of the Alaska question is concerned. Nobody believes in it, and nobody wants to.

The nearest solution of the question is embodied in the Wickersham bill. It assures sensible legislation, and allows of nothing else. It is less expensive than the present system or the proposed commission. It restricts extravagance and forbids the creation of Territorial debt. It adopts all that has proven beneficial to other Territories and eliminates all the injurious. It is the right way to settle the question if the majority is to be given first consideration.

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[Editorial, Valdez Prospector, Valdez, June 17, 1909.]

HOME RULE FOR ALASKA.

Delegate WICKERSHAM'S bill to give Alaska a Territorial legislature will probably have to be introduced into two or three Congresses before it can get through, but local government will come sometime. A local lawmaking body which can legislate with some knowledge of local conditions and needs is the right of the Territory, and its importance is recognized by the most virulent opponents of home rule by repeated urging of a code commission to recommend legislation to Congress. The same object is sought to be accomplished by both projects.

Opponents of Territorial government have always set up a straw dummy to throw bricks at. They have pointed to the awful expense and general impracticability of county government in so sparsely settled a Territory as Alaska. It would be difficult to find a man who has ever advocated county organization in Alaska. The sole demand has always been for a local legislature, and the demand has always been made with full knowledge of the fact that Alaska legislatures would be composed of no better material than State legislatures—that is to say, an Alaska legislature would contain more cheap men than bright ones, more self-seeking curbstone politicians than capable legislators, nearly as many grafters as honest men. That is the way State legislatures are made up, but nobody seriously urges their abolition on that account. Long experience in self-government has taught the American people that legislators are generally as good as their average constituents, and that government by the people is a little better than government by monarchs and viceroys.

Since the visit of Secretary Fisher to the coal region in southern Alaska last summer, and on January 8, the people there held a nonpartisan convention at Valdez and formulated their suggestions for the settlement of the coal and other questions in which they are so deeply interested. Copies of their conclusions, in a series of resolutions, will be immediately sent to Members of Congress; and the first one of these declares in favor of home rule for Alaska in the following form:

HOME RULE.

The question of paramount importance to the 40,000 former citizens of the United States now residents of Alaska is that of the right to govern themselves and regulate their own local affairs, a right that is of inestimable value to a free people, the basic or fundamental principle of the Government of the United States, and the birthright of every American citizen.

We therefore demand the same rights of self-government that have been accorded to every other Territory of the United States occupied and settled by American citizens; and we further demand the abolishment of a bureaucratic government 5,000 miles away, often totally ignorant and usually indifferent to the actual needs of the people of this vast Territory.

I have thus quoted liberally from so many nonpartisan and partisan sources and the newspapers in and near Alaska to show the House that fairly and publicly this bill and the legislature which it purposes to establish in Alaska have long been widely and favorably discussed. These quotations are good evidence that the people in that Territory are acquainted with the proposed action of the House and unanimously indorse the pending bill. Then, too, these extracts contain conclusive evidence of my assertion that the conditions there demand the enactment of the bill, and also answer in a most able manner all objections made to its passage.

UNANIMOUS APPROVAL OF HOUSE COMMITTEE ON TERRITORIES.

Finally, by way of specific indorsement, the Committee on the Territories of this House, composed, as it is, of 16 Representatives, Democrats and Republicans, reported this bill unanimously after it had been scanned for almost three years in committee and after each line had been carefully examined and favorably approved by a subcommittee composed of both Republicans and Democrats.

THE NECESSITY FOR THE BILL ADMITTED.

The day after President Taft received the telegram from the united press and people of Alaska, on September 29, 1909, he delivered an address in Seattle, in which he strongly proclaimed the necessity for a local legislature in Alaska. He said:

Alaska is a country of immense expanse, and the governmental needs of the southeastern portion, near to Washington and the Northwest, are quite different from those of Nome and the Seward Peninsula and of the valley of the Yukon. Such a Territory has need of local legislation and local government, which can only be understood by those who are on the ground; and it is utterly impossible and impracticable for Congress, in its legislation, to govern the details by legislation required for the best development of the Territory.

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Certain general laws, like the mining laws, the forestry laws, the customs laws, and the land laws, should be passed by Congress, and perhaps executed by national officers, but this would leave a wide domain for domestic legislation which, it seems to me, ought to be intrusted to some local authority on the ground and having a knowledge of local needs. Of course, if the Territory were settled with a permanent population, more or less equally distributed through its extent, such legislative power might be intrusted to an elected legislature; but, for the reasons I have given, it seems to me that it would be much wiser to intrust this local legislative power to a commission of five or more members, appointed by the President, to act with the governor in the discharge of such legislative function. It seems wise not to confer legislative functions on the governor alone, but to assist him in its exercise by the addition of competent persons, who will live in the Territory, familiarize themselves with its local needs, and bring to the attention of Congress and the Executive such additional legislation as may from time to time be wise.

In his message to Congress at the beginning of the second session of the Sixty-first Congress, he first recommended legislation on this subject to Congress. He said, among other things:

With respect to the Territory of Alaska, I recommend legislation which shall provide for the appointment by the President of a governor and also of an executive council, the members of which shall, during their term of office, reside in the Territory, and which shall have legislative powers sufficient to enable it to give to the Territory local laws adapted to its present growth.

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The present system is not adequate and does not furnish the character of local control that ought to be there.

And in his message to the third session of the Sixty-first Congress he objected to an elective form of legislature in Alaska, but strongly declared in favor of an appointive form, as follows:

With reference to the government of Alaska I have nothing to add to the recommendations I made in my last message on that subject.

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It is far better for the development of the Territory that it be committed to a commission to be appointed by the Executive, with limited legislative powers sufficiently broad to meet the local needs, than to continue the present insufficient government with few remedial powers, or to make a popular government where there is not proper foundation upon which to rest it.

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The passage of a law permitting the leasing of Government coal lands in Alaska after public competition, and the appointment of a commission for the government of the Territory, with enabling powers to meet the local needs, will lead to an improvement in Alaska and the development of her resources that is likely to surprise the country.

Secretary Fisher, of the Interior Department, in his Chicago address, declared the general policy of the administration in respect to Alaska which he said had been discussed with President Taft, met with his approval, and will have his support. After paying the people of Alaska a well-deserved compliment, he said:

They are entitled to a Territorial government better adapted to their peculiar local conditions and needs.

In his recent report to the Secretary of the Interior, the governor of Alaska, while not approving the elective form of legislature for the Territory, does approve the necessity for some form of legislature there, as follows:

That the members of a Territorial legislature would have a better understanding of local needs than has been shown by the National Congress, and also that their time would be devoted to the consideration of these things, as the time of Congress is not and can not be, is obvious, and this fact is almost exclusively responsible for the attitude of those who are both sincere and thoughtful in their advocacy of a change in the form of government.

And now, after three years' consideration of the necessity for a legislative body of some sort in Alaska, after hearing the merits of each plan discussed, both in Congress and in the press, after the present elective bill has been under consideration in both Houses of Congress for that period of time and after its unanimous report by the House Committee on the Territories with a recommendation that it do pass and become the organic law of Alaska, in his special message of February 2, 1912, the President again declares, in more forceful terms, his judgment that Congress ought to provide a lawmaking body for the Territory of Alaska. In that message he says:

There is nothing in the history of the United States which affords such just reason for criticism as the failure of the Federal Governmet to extend the benefit of its fostering care to the Territory of Alaska. There was a time, of course, when Alaska was regarded as so far removed into the Arctic Ocean as to make any development of it practically impossible, but for years the facts have been known to those who have been responsible for its government and everyone who has given the subject the slightest consideration has been aware of the wonderful possibilities in its growth and development if only capital were invested there and a good government put over it.

* * * * * * *

I have already recommended to Congress the establishment of a form of commission government for Alaska. The Territory is too extended, its needs are too varied, and its distance from Washington too remote to enable Congress to keep up with its necessities in the matter of legislation of a local character.

The governor of Alaska, in his report which accompanies that of the Secretary of the Interior, points out certain laws that ought to be adopted, and emphasizes what I have said as to the immediate need for a government of much wider powers than now exists there, if it can be said to have any government at all.

Thus, again and again, the President and those by his appointment, who have even closer relations with the conditions in Alaska than he has, have approved the necessity for a lawmaking body in that Territory, "with," to use the exact language, "limited legislative powers, sufficiently broad to meet the local needs." No one can read the public utterances of the President, in his speeches and messages, without concluding that he believes strongly that there is an overwhelming necessity for a legislative body in Alaska, and with that judgment the people of the Pacific coast, the people of Alaska, and I distinctly agree. There is, then, but one remaining question, and that is: Shall that legislative body be appointed by the President or elected by the people of the Territory?

AN APPOINTIVE ALASKAN LEGISLATIVE COMMISSION.

There is much opposition to the appointive commission form of legislature for that American Territory, which was plainly and forcefully exhibited in the Senate two years ago in considering a bill of that nature. Immediately after the recommendation by the President in his message of December 7, 1909, that Congress pass a bill to create an appointive legislative commission for that Territory, such a bill was prepared in the Bureau of Insular Affairs, and was introduced in the Senate on January 18, 1910, reported with amendments on the 24th instant, and on the same day the Senator from Indiana moved that the Senate proceed with its consideration.

There was no printed report on the bill, but the Senator from Indiana, in his statement to the Senate, very forcibly presented the necessity for the creation of a legislative body in Alaska in the following language:

It has become clear, Mr. President, therefore, that there must be some body of men created who can legislate for this district, this Territory, as the bill now calls it, from first-hand knowledge; men who will be absolutely, as far as legislative safeguards can provide, above any selfish consideration whatever; men who can take up the entire subject of necessary legislation for Alaska and amend or repeal or otherwise modify such existing laws as are not wise or have become out of date, or otherwise inapplicable, and enact any new legislation which the situation may require. This bill accomplishes that purpose as fully as the committee feel that legislation at present can accomplish.

The Senate bill was very earnestly supported by the Senator from Indiana and criticized by many Senators in debate on January 24, 25, 26, and on February 14, 15, and 22, 1910. A full report of the opposition to the appointive commission plan will be found in the Senate proceedings of those dates, and on the last day it went over, on motion, under Rule IX, and was never heard from or considered again.

In his testimony before the Senate Committee on Territories, on May 23, 1911, in support of Senate bill 1647, being a substantial copy of the one now before the House, Senator JONES, of Washington, was asked about the Senate opposition in 1910 to the Senate bill to create an appointive legislative council for Alaska, and he said in reply to inquiries:

Senator BROWN. There was a bill reported by this committee, was there not, embodying the President's ideas?
Senator JONES. There was.
Senator BROWN. And it died on the calendar?
Senator JONES. It died on the calendar after being called up and discussed at considerable length, and that discussion was such as to convince almost everyone that it stood no chance whatever of passing in the Senate. I do not think there is any doubt in the mind of anyone that such a bill would have absolutely no chance whatever in the House of Representatives, and I do not think it would stand any chance whatever in the Senate. So my judgment is that the only proposition now upon which we can compromise and which stands any chance of getting through is the proposition for a Territorial form of government with an elective legislature. In my judgment, legislation of this kind can pass the House and the Senate and I believe the President would sign it.

A bill creating an appointive legislative commission very similar to that introduced in the Senate was introduced in the House on February 1, 1910, and referred to the Committee on the Territories. Although many long hearings were held by that committee on the general subject of creating a legislature for Alaska, no report upon that bill was made to the House during the Sixty-first Congress, and it may fairly be said that a bill to create an appointive legislative commission could not have been reported from that committee or passed by the House in that Congress.

Two conclusions may fairly be deduced from the foregoing review of the record relating to this subject: First, that the President and the Secretary of the Interior, the Senate committee two years ago, and all others conversant with the conditions in Alaska, agree that there is a grave necessity for the creation of a legislative body in Alaska; and, second, there is no reasonable probability that Congress can ever be induced to pass an act to create an appointive legislative commission for that Territory.

It follows that unless Congress shall pass an act to create an elective Territorial legislature, such as all other American Territories have had, Alaska must continue to stagnate for the want of governmental development. The bill now before the House is such a bill. Its provisions are not new; they are drawn from those organic acts which have been copied and recopied by Congress in the creation of Territories in the great West. The utmost care has been taken to follow precedents with which Congress and the courts are entirely familiar, and also thereby to assure Congress and the country that in applying them to Alaska no new or untried power is given to the legislative body.

So far as I am informed, no objection is made to the contents or internal character of the bill before the House. The objections made are to the passage of any bill giving the people of the Territory the right to elect a legislative body. The necessity for the creation of a legislative body is admitted and the objections go only to the elective feature of the bill.

OBJECTIONS TO THE BILL BEFORE THE HOUSE.

The objections of the President to the elective form are all fairly contained in one sentence in his message of December 6, 1910, as follows:

I am convinced that the migratory character of the population, its unequal distribution, and its smallness of number, which the new census shows to be about 50,000, in relation to the enormous expanse of the Territory, makes it altogether impracticable to give to those people who are in Alaska to-day and may not be there a year hence, the power to elect a legislature to govern an immense Territory to which they have a relation so little permanent.

It will be noticed that there are but three objections stated. First, "the migratory character of the population"; second, "its unequal distribution"; and, third, "its smallness of number in relation to the enormous expanse of territory." To these is added, in the recent report of the governor of Alaska, a fourth—the alleged increased financial burden upon the people of the Territory which such a legislature would entail.

It is my intention, now, to consider these four objections in order and to place the facts before the House, so that you may judge by a comparison with the conditions in the earlier Territories when they were created and given elective legislative bodies, whether Alaska is not now equally entitled to the same advantage.

"MIGRATORY CHARACTER" OF ALASKA'S POPULATION.

Is the population of Alaska of such a migratory character that it can not be intrusted with the power to elect a Territorial legislature with carefully limited powers, such as all other Territories have had? This objection was publicly made in Seattle by the Attorney General of the United States at the time of his visit to Alaska in 1910, and was so fully answered at the moment by an editorial in the Seattle Post-Intelligencer that I shall quote from Mr. Brainerd's editorial in answer to the objection.

It is headed "Permanent population":

In discussing the question of the possible granting of local self-government to the people of Alaska, Attorney General Wickersham said: "In considering a government for Alaska, you must consider that the people do not go to Alaska to live, as they came to Washington. They go there to make their pile and then get out. For that reason the population of Alaska is transitory.

That is a statement by the Attorney General of the United States.

The paper then concludes:

This sounds logical, but it is really fallacious. If Mr. Wickersham were as familiar with the history of the growth and development of the far West as are those who have spent some years on the frontier he would know that conditions to which he refers as existing in Alaska existed in precisely the same shape and with even stronger force in every one of the present great States of the Pacific. Indeed, they existed at one time in Australia, in South Africa, and in every new possession when first offered to the world.

When California was admitted into the Union it is a safe bet that more than 90 per cent of the population, outside of the native Californians of Spanish stock, had no intention at the time of ever making permanent homes in California. Practically every man who went to California during the gold rush, and for many years thereafter, went there "to make a stake," expecting to return with it to his native State. Even during the sixties everyone in California spoke of the East or of the Middle West, as the case might be, as "home."

The same was exactly true of the population of Nevada, of Idaho, and of Montana when they were organized as Territories. It is safe to say that Alaska at the present moment has a greater number of residents that have determined to spend the rest of their days in that Territory than either California or Nevada had when admitted into the Union, or than either Idaho or Montana had when they were erected into Territories. Mr. Wickersham, if he had gone under the surface, would have found that the man who has spent a few years in Alaska, when he leaves that Territory, always has a hankering to return to it, and that there are thousands of men who have no thought of ever making permanent homes elsewhere than within the borders of the great Territory that fascinates all who have spent any length of time within its borders.

It is a mistake to suppose that the prospectors and miners in the great West are entirely transient, nomadic, or migratory. Those who crossed the plains in 1849 remained and built San Francisco and Sacramento, laid the foundations of a hundred cities in California, and in 1850, within one year after their arrival, erected the noble superstructure of the State of California. Their kind trailed through the mountain passes of Nevada, Montana, Colorado, Idaho, Oregon, and Washington, and when miner's luck and hard labor led them to the pay streak or the mother lode they built Virginia City, Helena, Butte, Anaconda, Denver, Boise, Portland, Spokane, and Seattle. Wherever the prospector and miner in the far West found the pot of gold he set a stake, brought his family to it, and became the foremost citizen of the camp, the town, the city, and the State. And yet prospectors and miners are, to some extent, migratory, else there would never have been progress and growth in the West. The miners of Circle City stampeded to Dawson in 1897, and back to Fairbanks in 1903. Some of them went to Nome, and later to the Iditarod—yet all remained in Alaska. They built Circle, Tanana, Nome, Fairbanks, and Iditarod, and laid the foundations of many other towns in the great interior of Alaska. They are men of strength, courage, and daring. They are the best young blood of the East—they are from New England, Pennsylvania, Virginia—the South, and the West. They are your brothers, and their wives are your sisters. They are Anglo-Saxon, Irish, Dutch, Scandanavian; but at heart Americans.

Migratory? The mayor of Juneau, Emory Valentine, the wooden-legged Peter Stuyvesant of Alaska, has resided there 27 years; the mayor of Fairbanks, since 1898; the mayor of Nome, since 1900; the mayor of Skagway, for 25 years; the mayor of Valdez, for 12 years. Royal, robust, red-headed "Mother" Card, who carried her sick baby over Chilkoot Pass in 1897 and buried it on the shores of Lake Lindeman, runs a hotel and restaurant in Fairbanks, honored and respected by more old "sourdoughs" than any woman in Alaska. Thousands of her kind, brave pioneer women of Alaska, quietly tend the domestic hearth in cabins and more pretentious homes, where they have ruled for 10, 12, 15, or more years. Big Bill McPhee, who went from Juneau to Forty-Mile and Circle in the eighties, yet does more charitable work among the few unfortunate old prospectors in the Tanana Valley than the world knows about, while his friend, good old Dr. S. Hall Young, who established the Presbyterian missions in Alaska in the seventies, last winter built a church for the miners in the Iditarod. Father Munro, the gentle Catholic missionary, like Bishop Rowe, yet travels the arctic trails from camp to camp, as both have done for nearly 20 years. Prospectors like Joe Juneau and Dick Harris, who discovered Silver Bow Basin in 1880, laid the foundations of a capital city and located gold mines which increase in value and extent as the years go by; French Pete, who found and gave to John Treadwell a quartz claim which made him both famous and wealthy; Felix Pedro, the discoverer of the Tanana placers; Jack Smith, who located the Bonanza copper field on the Chitina River, to which the Morgan-Guggenheim syndicate has built a $20,000,000 railroad; Jack Dalton, who blazed the trails into the Porcupine, the Alsek, and the White; D. B. Libby and John Dexter, the pioneers of the Nome gold field, were "migratory" in that they searched for the hidden treasures of nature, but they were free, clean, vigorous-minded Americans and nation builders at the same time.

Jack McQuestion, Arthur Harper, Fred Mayo, Fred Hart, Frank Densmore, and John Minook were prospectors, trappers, and traders who first invaded the wilderness of the Yukon, Tanana, and Kuskokwim more than a quarter of a century ago. They blazed the trails, established trading posts, pacified the Indians, and ever freely gave assistance to those who followed them into the Eldorado of the Arctic. And yet the prospectors and placer miners of Alaska, like those of California, Colorado, and the placer-mining territories of the West, are migratory. Of what earthly use would a "prospector" be who is not? With his pack on his back he trudges into the wilderness, along the old Indian trail, off up some unmapped river, facing the rigors of the climate, the dangers of mountain and stream, bravely meeting the hardships of a lonely life, ever seeking the golden pay streak which nature has so cunningly hidden in the gravel beds in the most out-of-the-way and unexpected places.

Migratory? Certainly; he travels from stream to stream, digging shafts and scraping the rim in search of colors. Disappointed for ninety-nine times, often in the hundredth hole he finds the colors, which bring a stampede of his kind from less-favored localities, and in a day a new camp is "struck," a town is built, lines of transportation established, judges and officers appointed, banks and business houses established. Ten million dollars per annum in virgin gold is gathered from the gravels and put into the general wealth of the Nation, all because the prospector and placer miner is "migratory."

This "migratory" character of the Alaskan prospector and placer miner is a strong, manly virtue. It is one of the foundation stones upon which the States of the West were built. That "migratory" character has found and extracted more than $200,000,000 in virgin gold from the gravels of Alaska, and no man was made poorer thereby. These "migratory" prospectors and placer miners of the great West have added more to the real wealth of our Nation, to its prosperity, happiness, and development, than all the banks and Wall Streets in New York, Philadelphia, and Chicago. They are known, appreciated, and honored in the great West, where they laid the foundations of government and built great cities and greater States.

It is a matter of profound surprise that men intrusted with the duty of government are so unacquainted with the true worth of the nation builders of the West as to class the prospector or the placer miner as a "migratory" undesirable.

If by the objection that our prospectors and placer miners are "migratory" it is sought to show that the population of Alaska is not permanent within the Territory, it is equally wanting a basis of fact, as may readily be seen from the following table, showing the date of settlement and present population of 30 Alaskan towns:

Town.	Date settled.	Population, 1910.
Unalaska	1778	281
Kenai	1791	250
Kodiak	1792	438
Sitka	1799	1,039
Afognak	1825	318
St. Michael	1833	415
Wrangell	1834	743
Nulato	1838	230
Fort Yukon	1847	321
Juneau	1880	1,644
Treadwell	1881	1,222
Haines	1881	455
Douglas	1888	1,722
Metlakatla	1888	602
Ketchikan	1892	1,613
Unga	1894	108
Karluk	1895	549
Skagway	1897	872
Yakutat	1898	271
Nome	1898	2,600
Eagle	1898	178
Fort Gibbon	1898	398
Valdez	1898	810
Circle City	1899	144
Petersburg	1899	585
Seward	1900	534
Ellamar	1900	98
Fairbanks	1902	3,541
Chena	1902	138
Cordova	1906	1,152
Total population 30 Alaska towns		23,271

In further answer to the charge that our people are "migratory" as a class, I now call your attention to the increase in population in incorporated towns in Alaska and in unincorporated towns and communities to show that in 10 years there has been no loss in the population, no shifting, but a steady growth.

Incorporated towns in Alaska which increased in population from 1900 to 1910.

Town.	Population of community, 1900.	Population of community, 1910.	Increase.
Chena		138	138
Cordova	173	1,779	1,606
Douglas	825	1,772	947
Eagle	383	543	160
Fairbanks		3,541	3,541
Haines	85	445	360
Juneau	1,864	2,235	371
Ketchikan	459	1,613	1,154
Petersburg		585	585
Treadwell	522	1,222	700
Valdez	315	810	495
Wrangell	868	1,067	199
Total	5,494	15,750	10,256

Notice that in the communities embracing the 12 incorporated towns there was an increase in each and a total increase in the decade of 10,256.

"Places" in Alaska which increased in population, 1900–1910.

Places.	Population of community, 1900.	Population of community, 1910.	Increase.
Circle	242	478	236
Kenai	290	985	695
Nushagak	324	4,226	3,902
Rampart	211	370	159
St. Michael	857	1,127	270
Sitka	1,396	1,477	81
Unalaska	428	1,083	655
Unga	175	1,303	1,128
Metlakatla	465	602	137
Hoonah	447	462	15
Yakutat	247	271	24
Karluk	470	549	79
Tatitlek	149	156	7
Tanana	186	398	212
Koserefsky	135	231	96
Unaklik	241	247	6
Killisnoo	172	351	179
Howkan	145	200	55
Klawak	131	241	110
Saxman	142	154	12
Shakan	93	118	25
Seldovia	149	173	24
Total	7,095	15,202	8,107

In the 22 unincorporated town communities there was an actual increase in each and a total increase in the whole 22 of 8,107, making a total increase in these 34 communities of 18,363. These exact figures, drawn from the census bulletin, "Population: Alaska, 1910," disprove the charge that our people in these 34 communities are "migratory" in any general sense.

Population is quite as permanent in Alaska as elsewhere, for Sitka was the capital of Alaska before Astoria was founded. Unalaska, Kodiak, and Sitka were established and permanent towns and marts of international trade before Jefferson purchased Louisiana. These towns and St. Michael, Wrangell, and a dozen more were established trading centers before California was acquired and the great cities of the Pacific coast were founded. The first churches and schools on that coast north of Mexico were established in Alaska, and some of those early establishments yet modestly continue their labors. Alaska has been under the complete dominion of civilization longer than any State or Territory west of the Mississippi River and north of California. No Indian war or any other war ever reddened her soil with blood, and her Indian, Russian, and American peoples have always lived together in peace and friendship.

In his official report to the Secretary of the Interior for 1910, the governor of Alaska said:

> The people continue their interest and pride in the public schools, and they have been administered with gratifying results during the past year. Schools in the incorporated towns are supported largely by the license moneys collected within the towns and are under the control of the school boards and town councils.

Public schools for white children are maintained in 31 towns in Alaska, and the attendance during the last year was between 1,500 and 2,000. The governor's report for 1910 says of schools for the education of natives:

> The Government schools for the education of natives continue under the charge of the Bureau of Education, which during the last year has increased the number of its schools from 62 to 69. The number of pupils has increased from 3,067 during the fiscal year ended June 30, 1908, to 3,725 in the fiscal year ended June 30, 1909, an increase of 21 per cent.

And for the year 1911 the Bureau of Education says of the Alaskan schools for native children:

> During the fiscal year 1911 this bureau maintained 81 public schools for natives, with an enrollment of 3,841 pupils and an average attendance of 1,689.

Alaska now has more school children in actual attendance in public schools within her borders than Mississippi, Indiana, Michigan, or Dakota had white settlers when they were each organized into a Territory and given an elective legislative assembly.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. WICKERSHAM. Certainly.

Mr. JACKSON. I would like to ask the gentleman what he has to say about the permanency of the population of Alaska. It seems to me that is an important subject for the committee to consider in connection with the authorization of a legislature.

Mr. WICKERSHAM. It is important, and I call the gentleman's attention to the table giving the statistics of population in Alaska.

Mr. SLAYDEN. What is the population of Alaska?

Mr. WICKERSHAM. By the last census, 64,356.

Mr. SLAYDEN. What is the population as compared with 10 years ago and 5 years ago?

Mr. WICKERSHAM. Ten years ago the population, according to the census, was 63,592.

Between 1900 and 1910 there was a decrease in the number of Indians in Alaska of 4,205 and a decrease in Chinese of 1,907. There was an increase in the white population of Alaska of 5,854. The population of Alaska in 1880 was 35,612, of which 6 per cent only were white people. The white population in 1890 had increased to 19 per cent, and in 1900 the white population had increased to 48 per cent, while in 1910 the white population is more than 56 per cent of the total.

Mr. SLAYDEN. It is not decreasing?

Mr. WICKERSHAM. No; the white population is increasing, as shown by every census.

Mr. JACKSON. Mr. Chairman, what I wanted more to hear was something from the gentleman's own experience, as to whether these people really live there permanently, or whether there are about that many transient people in Alaska most of the time—what per cent of the 64,356 people in Alaska can be considered permanent residents?

Mr. FLOOD of Virginia. Mr. Chairman, I would suggest to the gentleman from Kansas that that is one of the vital questions at issue in this discussion, and the gentleman from Alaska will come to it in the course of his remarks.

Mr. JACKSON. I thought from what the gentleman from Alaska had said that he was about to conclude his remarks. I wanted to call his attention to that because I know he is qualified to speak on it, and I wanted to hear what he had to say.

Mr. FLOOD of Virginia. Will the gentleman from Alaska yield for a moment?

Mr. WICKERSHAM. Certainly.

Mr. FLOOD of Virginia. Mr. Chairman, in answer to the gentleman from Texas [Mr. SLAYDEN] as to the increase of population during the last decade, I will ask the gentleman from Alaska if it is not a fact that the Census Bureau admits that the population, as reported in 1900, was greater than the actual population?

Mr. WICKERSHAM. Yes; a note added to Census Bulletin, population Alaska, expressly says that the enumeration at Nome in 1900 "includes persons on vessels in port, census having been taken during rush to the gold fields."

Mr. FLOOD of Virginia. There was a large number of people on the shore and in boats at Nome who were counted in the population, who were only there temporarily; and if these were taken from the census of 1900, it would be seen that the white population of Alaska increased about 10,000 during the past decade.

Mr. WICKERSHAM. In 1900, when the census was taken of the people in the region of Nome, all of those on the beach, more than 12,000 in number, including those on the vessels in the roadstead opposite Nome, of whom there were five or six thousand, were included in the census. Those people on the beach during the decade from 1900 to 1910 scattered through the country, but those who were on ships as crews departed with their vessels, and we lost that much of the enumeration charged against us in 1900.

Mr. SLAYDEN. I want to say to the gentleman that my purpose in asking those questions as to the population was to learn whether or not conditions in Alaska were such as they have been in nearly all the mining camps of which I have had any knowledge—that is, a large population during the period of great development and production in the mines and a decreasing population when the placer and other mines were worked out. That was the reason I asked the question, because I had read somewhere that the white population had actually decreased because of the exhaustion of the placer mines.

Mr. WICKERSHAM. Not at all. The population in the placer regions in Alaska is similar to the population you find in other placer regions in the West, and yet it is permanent and increasing.

Mr. GOODWIN of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. WICKERSHAM. Certainly.

Mr. GOODWIN or Arkansas. While discussing the question of the population of Alaska, will the gentleman tell the committee if he knows what the percentage of population of bona fide people is and the percentage of the exploiters of wealth of that great country?

Mr. WICKERSHAM. The exploiters of the wealth of Alaska do not live in Alaska at all. They generally live around 45 Broadway, New York. The population of Alaska is permanent, and I say again they are the same character and class of people that settled California. They are the same character of people who went to California in 1849 to mine; they are the same character of people who one year later erected the noble superstructure of the State of California. They are the same kind of people that built Virginia City, Butte, Helena, Anaconda, Spokane, and all the cities of the West that have been so largely built upon the mineral resources of that great

country. They were a permanent population in that country as they are in Alaska. Unalaska and Kadiak and more of Alaska towns that are now thriving little cities were settled before Jefferson purchased the Louisiana territory, and from the time of their settlement, a century ago, down to this time we have had a permanent white population in the Territory of Alaska.

In many of our Alaska towns, such as Nome, Fairbanks, Valdez, Cordova, Juneau, Skagway, and Ketchikan, we have electric lights, telephones, telegraph lines, city water and power, automobiles, and in all are schools, churches, hospitals, libraries, and everything which advances good government and the home. My home is at Fairbanks, a beautiful little city in the beautiful Tanana Valley. We have all the aids to civilization, including a railroad to the mines.

Mr. SAMUEL W. SMITH. How many miles of railway are there?

Mr. WICKERSHAM. We have 44 miles at Fairbanks, way in the interior of Alaska, running out to our mines, and altogether we have in Alaska about 500 miles of railway.

Mr. SAMUEL W. SMITH. Is it all standard gauge?

Mr. WICKERSHAM. No; the 44 miles at Fairbanks is not standard gauge, it is a narrow-gauge railroad. Now, the population of Alaska is increasing. It is a mining population, it is true, but all of these cities on the southern coast where we have great quartz mines have increased in population in the last 10 years, and the whole of the development in the interior country, in the Tanana Valley, has grown up in that time.

Mr. TILSON. May I interrupt the gentleman?

Mr. WICKERSHAM. Certainly.

Mr. TILSON. Before the gentleman passes from the subject of population I want to ask the gentleman if there is any provision in the bill as to the number of population in each district that is to send so many delegates or representatives to the assembly?

Mr. WICKERSHAM. No; I will say again that they are apportioned according to these four judicial divisions, which have a very equal population, as you may discover from the figures.

Mr. TILSON. At present these judicial divisions are substantially equal. Now, is there any provision for the future in case one of those divisions should increase very rapidly in population and another stand still?

Mr. WICKERSHAM. No; there is not, but there is no likelihood of anything of that kind happening, and if it does happen we can come back to the fountain head again and get some more legislation. This bill is not the end of the law, it is only the beginning of the building up of a government in Alaska.

Mr. TILSON. Then in each judicial district the representatives are chosen at large, are they?

Mr. WICKERSHAM. They are chosen at large.

Mr. TILSON. And also the members of the senate?

Mr. WICKERSHAM. Yes; members of both houses are chosen at large in each of these four judicial divisions.

Mr. RAKER. Will the gentleman permit a question?

Mr. WICKERSHAM. Yes; with pleasure.

Mr. RAKER. In regard to the city of Fairbanks, how old a city is that?

Mr. WICKERSHAM. It was established 10 years ago.

Mr. RAKER. And its population now?

Mr. WICKERSHAM. In the incorporated town 3,541, but in the community there are more than 7,500.

Mr. RAKER. You have all modern buildings and improvements in that city?

Mr. WICKERSHAM. Yes; we have two large hospitals, a high school, common schools, and more children in the schools this winter than ever before; we have churches, railroads, telephones, telegraph lines, automobiles—everything that goes to make up civilization in a good community.

Mr. RAKER. Will the gentleman permit one more question?

Mr. WICKERSHAM. Certainly.

Mr. RAKER. Under your bill who are permitted to vote and what will be the qualifications as you understand?

Mr. WICKERSHAM. The qualifications are fixed by the act of 1906 providing for the election of Delegates to Congress.

Mr. RAKER. What is that, in short?

Mr. WICKERSHAM. That the elector shall have resided for 2 years in the Territory and 30 days in the precinct in which he offers to vote.

Mr. SLAYDEN. You have universal manhood suffrage?

Mr. WICKERSHAM. Yes.

Mr. AYRES. Will the gentleman yield for a question?

Mr. WICKERSHAM. Yes; certainly.

Mr. AYRES. What, if any, agricultural production is there in Alaska, and if so, has it increased?

Mr. WICKERSHAM. The agricultural capacity of Alaska is large, surprisingly so to those who have never considered it. I will call the attention of gentlemen particularly to this photograph of one of our farmers plowing in the Tanana Valley on October 24 last, which illustrates not only the fact but the width and character of the valley. The Tanana Valley at this point [illustrating] is 50 miles wide and 200 miles long, and our agricultural department has made a careful examination into the area of arable land there and has announced that there is more agricultural land in that one valley than there is agricultural land under cultivation in Norway, Sweden, Finland, and the three northern Provinces of Russia. Permit me to call your attention to an official statement from the Alaska agricultural bureau on that question.

AGRICULTURE IN NORTHERN EUROPE COMPARED WITH ALASKA.

In order to further establish the possibility of agriculture in Alaska a comparison has been made of the countries of Norway, Sweden, Finland, and the Russian Provinces of Archangel, Vologda, and Olonetz. All these countries lie between latitudes 58° and 70° north, and for the most part they are north of 60°, the approximate latitude of the northern reach of the Gulf of Alaska. In Europe within the above limits are embraced over 985,000 square miles, or about 599,450,000 acres. Alaska, with its 570,390 square miles, or 365,049,000 acres, extends from latitude 54° 30′ in southeastern Alaska to more than 71° at Point Barrow. A study of the topography, climate, native plants, and so forth, shows that the conditions are not very dissimilar in the two regions, whatever advantage there is in climate being probably slightly in favor of the European countries. In these countries of Europe more than 11,000,000 people are living, while the census of 1910 reports 64,356 as the population of Alaska. Recent statistics show in the three countries and three Provinces in Europe which lie mostly north of 60° that 8,373,000 acres of land were producing cereals of all kinds, the total yield being: Wheat, 6,683,840 bushels; rye, 36,509,640 bushels; barley, 26,963,545 bushels; oats, 109,036,780 bushels. In addition potatoes to the amount of 100,321,190 bushels and 7,871,119 tons of hay were reported. Live stock are returned for these countries as follows: Horses, 1,516,251; cattle, 6,110,476; sheep, 4,033,578; hogs, 1,484,124; goats 368,021; and reindeer, 564,732.

The area reported under cultivation varies from less than 0.01 per cent in Archangel and 0.5 per cent in Norway to 4.1 per cent in Sweden. In Finland, Vologda, and Olonetz only about 1 per cent of the total area is in cultivation, as the term is commonly used. In nearly every country there are natural meadows of large extent used as pasture and for haymaking, so that the total under agricultural use is probably about double the figures quoted above. On a basis of 1 per cent of the total area available for crops and 2 per cent for crops, pasture, and haying, there should be over 3,650,000 acres capabale of cultivation, or 7,300,000 acres available for possible agricultural development in Alaska. In 1894 the Director of the United States Geological Survey, in a letter to the House Committee on Agriculture, estimated the area of tillable land in southeastern Alaska, in the Cook Inlet country, the Alaskan Peninsula, and adjacent islands at from 3,000 to 5,000 square miles, or 2,000,000 to 3,000,000 acres. In 1900, after traveling repeatedly throughout Alaska and comparing estimates from various sources, Prof. C. C. Georgeson estimated the tillable and pasture land of Alaska at 100,000 square miles, or 64,000,000 acres. In 1910, Mr. J. W. Neal, who is in charge of the agricultural experiment station near Fairbanks, made a reconnoissance survey of the Tanana Valley, and he estimated the agricultural and grazing lands of that valley and the small valleys leading from it as about 15,000 square miles, or 9,700,000 acres, or more than the total area reported under crops in the specified countries of Europe.

With the same development of agriculture in Alaska as in Europe to supplement its mining, fisheries, and other industries, Alaska should support a population almost equal to that of Europe north of 60° latitude and a commerce of equal or greater importance.

Comparative area of some European countries.

	Latitude north.	Population.	Total area.	Area cultivated to cereals.	
				Acres.	Per cent.
			Acres.		
Norway	58° 30′ to 70° 30′	2,000,917	76,226,000	402,000	0.5
Sweden	56° 30′ to 68°	4,919,260	101,563,000	4,113,900	4.1
Finland	60° to 70°	2,335,916	82,025,000	1,578,300	1.9
Russian Provinces:					
Archangel	62° to 70°	413,500	208,680,320	162,200	0.075
Vologda	58° to 65°	1,565,800	99,369,600	1,656,930	1.7
Olonetz	60° to 64° 30′	422,200	31,587,200	359,770	1.1

Live stock in certain European countries.

Country.	Horses.	Cattle.	Sheep.	Hogs.	Goats.	Reindeer.
Norway (1906)	172,468	1,094,101	1,393,488	318,556	296,442	142,623
Sweden (1906)	566,227	2,628,982	1,021,727	878,828	65,300	288,360
Finland (1906)	327,817	1,491,264	904,447	221,072	6,279	133,749
Russian provinces:						
Archangel (1908)	62,050	118,675	133,096	253	.....	.....
Vologda (1908)	313,872	622,619	464,138	60,957	.....	.....
Olonetz (1908)	73,817	154,835	116,682	4,458	.....	.....

Crop production in some European countries.

Country.	Wheat.	Rye.	Barley.	Oats.	Potatoes.	Hay.
	Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Tons.*
Norway (1905)	318,880	951,360	3,357,120	9,562,880	25,033,400	2,572,920
Sweden (1905)	5,769,520	16,929,120	13,134,000	65,646,860	50,654,730	3,361,390
Finland (1907)	147,000	11,661,000	5,415,000	21,822,000	19,836,000	.....
Russian provinces:						
Archangel (1909)	5,700	451,940	1,395,250	226,200	752,880	295,153
Vologda (1909)	431,640	5,037,700	3,053,400	9,567,110	2,923,140	1,216,482
Olonetz (1909)	11,100	1,478,520	608,775	2,211,730	1,121,040	425,174

Mr. RAKER. Right there let me ask the gentleman what is the character of the crops which can be produced there and which have been produced up to the present time?

Mr. WICKERSHAM. All of the crops which can be raised in Norway, Sweden, Finland, and the northern provinces of Russia—potatoes, root crops, barley, oats, gardens, carrots, beets, turnips, celery—general crops of that kind.

Mr. RAKER. And wheat?

Mr. WICKERSHAM. Our people are miners and have not engaged in raising wheat. But there are fields of oats; and it is a valuable agricultural district.

Mr. SAMUEL W. SMITH. Can you tell the kind of timber you have there?

Mr. WICKERSHAM. We have spruce timber of a very fine variety. Here is a photograph of one of our Fairbanks sawmills, showing the big logs, which will represent exactly what we have. We have five sawmills in Fairbanks.

Mr. SLAYDEN. The gentleman made a suggestion in reference to the agricultural possibilities of Alaska that is very interesting and, I hope, is entirely correct. But let me ask the gentleman, is there not a marked difference between the climate of Alaska and that of Norway, for example—in a large part of Norway, at least, where agriculture is carried on?

Mr. WICKERSHAM. Yes; there is.

Mr. SLAYDEN. Is it not much colder in Alaska?

Mr. WICKERSHAM. It is somewhat, probably. But it is cold in December and January, and we do not have any crops in the ground then, and it does not make any difference to the crops we are going to put in next summer whether it is a few degrees colder in December and January or not.

Mr. SLAYDEN. That is not true in the western part of Scandinavia. Is it possible to raise crops in that territory with a limited season such as you must have and with your ground frozen to such depth during the winter?

Mr. WICKERSHAM. Oh, there is no doubt of our ability to raise crops in that region. We raise oats, potatoes, barley, and, as I say to you, all of the root crops, and everything of that kind, and the Agricultural Department thinks we are going to be able to raise wheat there without any difficulty.

Now, there is a very serious misapprehension in respect to the climate of Alaska. I want to call the attention of the House to this chart. On the 22d day of December we have 2 hours of sunshine at Fairbanks, in Alaska; on the 22d day of March we have 12 hours sunshine and 12 hours darkness; on the 22d day of June we have 22 hours of sunshine and but 2 hours when the sun is beneath the horizon in the north; on September 22 the sun has so far receded that we have 12 hours of sunshine and 12 hours of darkness. Again, on the 22d of December it has gone back to its southern limit and we have only 2 hours of sunshine. We have more sunshine in the Tanana Valley between the 22d day of March and the 22d day of September than California has in the same time. We have more sunshine in the Tanana Valley in that season than any other spot in United States territory.

Mr. RAKER. It is not any purpose of the gentleman in discussing the bill to attack the California climate, is it? [Laughter.]

Mr. WICKERSHAM. Not at all. I think it is the finest climate in the world, except that in the Tanana Valley. But I call the committee's attention now to this chart, which shows the exact situation in respect to sunshine and shadow in that great valley. A similar condition accounts for the sunshine and crops that are raised in the northern part of Europe and Asia on the same latitude. The temperature in the summer time is moderate. It gets up to 90 degrees sometimes, and when it gets to 90 degrees and the mosquitoes get after you you think it is 120 in the shade, for we have more mosquitoes in the central part of Alaska than New Jersey can produce. [Laughter.]

Mr. SAMUEL W. SMITH. May I ask the gentleman one more question, please?

Mr. WICKERSHAM. Yes.

Mr. SAMUEL W. SMITH. I asked you a few moments ago about the timber, and you kindly said you had spruce, but somebody interrupted you. I would like to ask you if that is all the timber you have there?

Mr. WICKERSHAM. The timber in the interior is very largely spruce timber, but on the coast cedar, spruce, and other forests grow.

Mr. SAMUEL W. SMITH. One other question. You spoke a moment ago about raising oats and potatoes. I would like to ascertain the average crop of oats and potatoes which you raise there—how many bushels to the acre—if you could tell me?

Mr. WICKERSHAM. In answer to this inquiry I will read a letter from a Fairbanks farmer who gives exact figures of what he actually raised and the price received for it:

FAIRBANKS, ALASKA, *November 8, 1909.*

Hon. JAMES WICKERSHAM,
Delegate to Congress, Fairbanks, Alaska.

MY DEAR JUDGE: In answer to your suggestion that I write you a letter about my farming operations, I take pleasure in doing so. When you and Mr. Joslin and Mr Birch and Mr. White were at my place last fall I had not begun to take in my crops, but since then I have done so. I had 3 acres of potatoes, and they yielded me 18 tons; and the market price was $120 per ton, for which I sold most of them. I had 1 acre of beets, on which I had a crop of 8 tons; 2 acres of carrots, which yielded me 7½ tons, with a market price of $140 per ton; 1 acre of turnips, from which I gathered 200 sacks of 80 pounds to the sack, or 8 tons, at $80 per ton. I had 2½ tons of rutabagas upon one-fourth of an acre of ground, for which the market price was $100 per ton. I had 1 ton of red beets on one-quarter of an acre of ground, at $140 per ton. I had 15 acres of barley which I cut and sold for hay. I had 3½ tons which I sold for $75 per ton, and still have enough left to fill my barn chock-full for my own use for the winter. I raised 2 tons of cabbages which I put away for the winter, besides which I sold between 3½ and 4 tons during the summer at an average selling price of $140 per ton.

I raised 29 sucking pigs; also 13 pigs which weighed about 100 pounds each, and 23 big hogs. I sold 5 of my hogs to the butcher for $60 each.

This fall I put in 6 acres of winter wheat, bluestem, which I sowed the second week in August, and before the snow came in October the wheat was up 2 or 3 inches high, and I never saw a better stand of wheat anywhere. I have raised good winter wheat, barley, and oats, and all kinds of vegetables, and, in my judgment as a farmer of more than 30 years' experience, the Tanana Valley is a first-class agricultural country.

My farm is near the river and is perfectly level. The soil is a sandy loam and is very rich, made up of sediment and silt and sand brought down by the river in ages gone by. The Tanana Valley opposite my farm is 60 miles wide, and there are probably 5,000,000 acres of as good ground as mine in this vicinity. I know from six years' experience on this farm that farming can be made entirely successful, and that this valley can be made to produce everything which can be raised in Minnesota and the Dakotas, and that there is no valley in the North so wide and rich and variable for agricultural purposes as the Tanana Valley.

I have several neighbors immediately around the town of Fairbanks who are engaged in successful farming, and we have in the last year raised almost enough to supply the local market, and there is no question hereafter that the whole local market in the Tanana mines can be supplied from our farms and gardens.

Respectfully, WM. YOUNG.

Mr. SAMUEL W. SMITH. Is any corn or wheat raised there?

Mr. WICKERSHAM. No. I think we can raise the hardy varieties of wheat, but not corn.

Mr. STEPHENS of Texas. Who is doing this farming, may I ask the gentleman? I see 36,000 people are classified as whites and 25,000 are classified as Indians. I presume those that are classified as Indians are natives of that country?

Mr. WICKERSHAM. Yes; they are.

Mr. STEPHENS of Texas. Are those the people who are doing the farming, or is it the white people?

Mr. WICKERSHAM. The white people are doing the farming.

Mr. STEPHENS of Texas. Of what nationality does the gentleman consider the Indians? They are classified as Indians. Are they not, as a matter of fact, Asiatics of some kind?

Mr. WICKERSHAM. I have no doubt of that. I have a very pronounced theory on that subject.

Mr. STEPHENS of Texas. Is it not a fact that ethnologically speaking, the department here recognizes only the Aleuts and the Metlakahtlas as Indians in that country?

Mr. WICKERSHAM. I do not think so. I think they are all recognized as Indians.

Mr. STEPHENS of Texas. The Eskimos are not recognized as Indians, are they?

Mr. WICKERSHAM. They are Indians, whether they are recognized as such or not. They are all of the Mongolian type.

"UNEQUAL DISTRIBUTION" OF POPULATION.

The next charge against us is that there is an "unequal distribution" of our population. In the bill now before the House the apportionment for members for both houses of the Alaska legislature is based upon the population in each of the four judicial divisions into which Alaska is now divided by law for judicial purposes. There is no such "unequal distribution" of population in those four judicial divisions as to prevent the four district courts therein from carrying on the public business with satisfaction. The United States land offices are also limited to those four divisions, and in all the business affairs of the Territory those four divisions are the satisfactory boundaries. Nor is there any "unequal distribution," for the population, according to the census of 1910, is divided as follows:

Population for 1910 of Alaska by judicial divisions.

First judicial division	15,216
Second judicial division	12,351
Third judicial division	20,078
Fourth judicial division	16,711
Total	64,356

With 15,216 inhabitants in the first division, 12,351 in the second, 20,078 in the third, and 16,711 in the fourth, the exact census figures disprove the assertion that there is an unequal distribution of population in the different divisions in Alaska.

The voting population also shows not only that our people are quite equally distributed, but that there is a widespread unity of political thought and purpose among them. With but two slight exceptions each successful candidate for Delegate from Alaska to Congress in 1906, 1908, and 1910 carried not only his own but every district in Alaska. An inspection of the following table showing the vote of each candidate in each district at each election shows that there was a fair rivalry and a fair division of the vote. This table also shows that at each election there were more votes cast in Alaska than were cast in each of more than a dozen congressional districts in the United States for Members of Congress now sitting in this House.

ALASKA ELECTIONS.

Summary of election returns for Delegate to Congress, 1906, 1908, 1910.

RETURNS 1906, SHORT TERM.

Name.	Party.	First division.	Second division.	Third division.	Total.
Waskey	Miners	216	1,571	3,062	4,849
Swineford	Democrat	936	71	565	1,572
Murane	Republican	389	832	990	2,252
Scattering		11	11	187	209
Total		1,552	2,526	4,804	8,882

RETURNS 1906, LONG TERM.

Cale	Miners	592	1,470	3,397	5,459
Mellen	Democrat	568	106	409	1,083
Murane	Republican	387	921	1,016	2,324
Scattering		7	23	32	62
Total		1,554	2,520	4,854	8,928

RETURNS 1908.

Wickersham	Republican	728	943	2,131	3,802
Corson	do	404	368	1,367	2,139
Chilberg	Miners	186	700	1,437	2,383
Ronan	Democrat	266	200	541	1,007
Scattering		1	117	176	294
Total		1,585	2,388	5,652	9,625

RETURNS 1910.

Name.	Party.	First division.	Second division.	Third division.	Fourth division.	Total.
Wickersham	Republican	1,020	705	1,087	1,760	4,572
Orr	do	474	471	1,600	722	3,267
O'Connor	Labor	30	380	154	871	1,435
Scattering				3	5	8
Total		1,524	1,556	2,844	3,358	9,282

Not only does the census of 1910 and the election returns show that the population in these four judicial—and now proposed representative—districts is fairly equal in number, but the customs statistics also show how nearly equal the imports of merchandise purchased from the merchants of the United States is in the four divisions. The following figures are compiled from the customs report of 1911, just published:

Distribution of domestic merchandise shipped from the United States to Alaska, 1907–1911.

Imports.	Fiscal year ended June 30—				
	1907	1908	1909	1910	1911
Juneau division	$4,233,423	$4,513,006	$5,386,437	$4,439,244	$4,733,525
Valdez division	2,968,515	4,235,089	4,256,676	5,303,831	4,021,650
Nome division	5,958,731	3,964,548	3,788,784	3,864,219	3,759,275
Fairbanks division	4,650,419	3,244,933	3,754,548	4,365,353	3,222,160
Total	17,811,093	15,957,576	17,186,445	17,972,647	15,736,510

Then, too, the wealth created in and exported from each of these four divisions to the United States is as nearly equal as the population and the distribution of the imports. The following table shows how equally the wealth originating in Alaska in 1911 was divided between them. The table holds good, approximately, for the preceding years for a decade:

Value and distribution of specified exports from Alaska, 1911.

Division.	Products.	Value.	Total.
1. Juneau, southeast Alaska	Gold	$4,250,000	$12,929,712
	Fish and furs	8,464,227	
	Marble—gypsum	215,485	
2. Nome, west Alaska	Gold	3,125,000	8,253,234
	Fish and furs	5,128,234	
3. Valdez, central Alaska	Gold	475,000	6,634,443
	Fish and furs	3,260,558	
	Copper	2,898,885	
4. Fairbanks, interior Alaska	Gold	9,300,000	9,300,000
Total specified exports, Alaska, 1911			37,117,389

The small amount of exports from the third division, of which Valdez is the center, which includes the 200 miles of the completed Copper River & Northwestern and the 71 miles of the Alaska Northern Railroads, and the celebrated Matanuska and Bering River coal fields, has resulted from the neglect of the Government to open these coal fields to development.

And, then, too, the coal fields of Alaska are widely and fairly divided—the Bering and Matanuska fields lie in the Valdez division, the Cape Lisburne anthracite and Seward Peninsula coal fields are in the Nome division, while the great deposits on the south side of the Tanana Valley, within 50 miles of Fairbanks, and the greater beds on the Arctic slope lie in the Fairbanks division. No State or Territory in the country has a more equal division of population and trade imports and exports, or a more equal division of great undeveloped natural resources, within districts created for legislative apportionment, than the Territory of Alaska has under this bill. These four apportionment divisions, provided by this bill, having such equal population, trade, and resources, have also the same boundaries as the four judicial and land-office districts created by Congress in Alaska, and thus possess every element of equality and fixed business relations to commend them to the public and to Congress.

SMALL POPULATION—LARGE TERRITORY.

The third and last Executive objection to the creation of an elective, rather than an appointive, legislative body for Alaska is that the "smallness in number" of the population "in relation to the enormous expanse of the territory" makes it altogether impracticable to give Alaska such an elective body. Of course, the Territory would be just as large and the population just as small if the legislature were appointive as recommended by the President, instead of elective as provided by the bill before the House. But is the population too small in relation to the area of the Territory to justify Congress to refuse to create an elective territorial legislature for Alaska? This inquiry can only be answered fairly by comparing these items with conditions of a like character which formerly existed in other Territories.

The total area of Alaska is 590,884 square miles. The total population, according to exact census figures, is shown in the following table, which also shows the relative increase or decrease in the different classes of the population for the years 1900 and 1910.

Population of Alaska, 1900–1910.

Class.	1900	1910	Decrease.	Increase.
White	30,493	36,347		5,854
Indian	29,536	25,331	4,205	
Negro	168	209		41
Chinese	3,116	1,209	1,907	
Japanese	279	913		634
All other		347		347
Total	63,592	64,356		764

[1] Includes persons of mixed parentage; that is, of native Indian and Russian or other parentage, as follows: 1900, 2,497; 1910, 3,887.

Those Russians who remained in Alaska after 1867 became citizens of the United States under the third article of the treaty of cession, which provided:

ART 3. The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion.

Add, then, to the total of white persons given in the census of 1910, 36,347, the number of those persons of mixed parentage—that is, of native Indian and Russian parentage—3,887, and it gives the true total of American citizens and whites in the Territory as 40,234.

Even according to the exact census figures it will be noticed in the decade from 1900 to 1910 there was an increase in the white population of Alaska of 5,844. At the same time there was a decrease in the Indian population of 4,205 and in the Chinese of 1,907. These items ought to be considered when scanning the character of the people who are to support the burden of developing Alaska and maintaining a legislature therein—the white population is increasing and the Indian and oriental elements are decreasing.

The increase of the white population in Alaska is better shown by the following table, giving the percentage of that increase in proportion to the whole population for four decades:

Per cent of increase in white population in Alaska.

	1880	1890	1900	1910
Total	33,426	32,052	63,592	64,356
White	2,186	6,121	30,493	36,347
Per cent white	6.5	19.1	48	56.5

The total number, then, of American citizens and whites in Alaska, according to the census of 1910, was 40,234, and the total area 590,884 square miles.

What historical basis is there for asserting that 40,000 white American citizens is too small a population to intrust with elective territorial legislative power, even in so large a Territory as Alaska? Compare Alaska's population and area, her known resources, development, and advancement, with those of many of the earlier Territories when first they were intrusted with legislative power, and it will be readily discovered that the advantage upon every point is decidedly with Alaska. No Territory was ever organized by the United States which had at its birth the development, resources, population, schools, churches, and general advancement that Alaska now has. Many States had less when given a constitution and a place in the Union, with two United States Senators and a Member of Congress. Comparisons in some respects are shown by the following table:

Area and population of Alaska compared with other Territories.

Name of Territory.	Date of organization.	Population, nearest census.			Approximate area, in square miles.	Density (per 1,000 square miles).
		Date.	White.	Total.		
Northwest of River Ohio	July 13, 1787			[1]	266,000	18
Mississippi	May 10, 1800	1800	5,179	8,850	92,474	96
Indiana	May 7, 1800	1800	5,343	5,641	268,474	21
Michigan	June 30, 1805	1810	4,618	4,762	58,915	81
Illinois	Mar. 1, 1809	1810	11,501	12,282	161,897	76
Missouri	Apr. 30, 1812	1810	17,227	20,845	861,608	24
Wisconsin	July 3, 1836	1840	30,749	30,945	283,137	109
Oregon	Aug. 14, 1848	1850	13,087	13,294	297,552	44
Minnesota	Mar. 3, 1849	1850	6,038	6,077	169,414	35
Utah	Sept. 9, 1850	1850	11,330	11,380	228,670	50
Washington	Mar. 2, 1853	1860	11,564	11,594	198,984	58
Dakota	Mar. 2, 1861	1860	2,576	4,837	318,005	15
Nevada	Mar. 2, 1861	1860	6,812	6,857	112,090	61
Arizona	Feb. 24, 1863	1870	9,632	9,658	115,800	83
Idaho	Mar. 3, 1863	1870	14,939	14,999	338,283	44
Wyoming	July 25, 1868	1870	8,935	9,118	97,575	93
Alaska		1910	40,234	64,356	590,884	109

[1] Less than 5,000.

Alaska now has 109 persons to each 1,000 square miles of territory. When the territory of the United States northwest of the Ohio River was organized under the ordinance of 1787 and provided with an elective Territorial legislature, "so soon as there shall be 5,000 free male inhabitants of full age in the district," it had less than 18 persons therein to each 1,000 square miles of its territory, or more than 55 square miles to each inhabitant. Congress has organized eight Territories with an elective legislative body, each having less than 50 persons to the 1,000 square miles—less than one-half the average density of Alaska's population. Alaska now has more than 13 times the population which Michigan or Dakota had, more than 11 times the population that Indiana had, more than 10 times the population that Minnesota had, more than 9 times the population Nevada had, more than 7 times the population Mississippi or Wyoming had, more than 6 times the population that Arizona had, more than 5 times the population that Illinois, Oregon, Utah, Washington, or Idaho had, and more than double the population that Missouri or Wisconsin had when each of those Territories was organized and provided with an elective Territorial legislature by the Congress of the United States. The character of the population in all those Territories was similar to that in Alaska—hard-working, honest pioneers, who went upon the western frontier to better their fortunes and to aid in building an American Commonwealth. Some question was made the other day whether the figures showing the population in these early Territories included Indians. I have ascertained from the Statistical Abstract published by the Bureau of Statistics that those figures do include the Indians in these earlier Territories just as in Alaska——

Mr. MANN. Will the gentleman yield?

Mr. WICKERSHAM. Certainly.

Mr. MANN. The gentleman does not mean that the population in Missouri included all the Indians in the Northwest at that time; no census had ever been made of Indians at that time.

Mr. WICKERSHAM. No; that is probably an exception, though the Statistical Abstract does not make the exception.

Mr. MANN. How could it be included in the census figures?

Mr. WICKERSHAM. Here is the Statistical Abstract for 1910, and I call the attention of the gentleman from Illinois to pages 36, 37, and 38 of that document. On page 36 is this head and statement:

No. 19.—Population at each census, 1790 to 1910: By color, by States and Territories, and by geographical divisions. "White" includes Chinese, Japanese, and Indians; "Colored" includes only those of African descent. From reports of the Bureau of the Census, Department of Commerce and Labor.

Mr. MANN. But the Government did not make a census of those Indians at that time, and did not pretend to.

Mr. WICKERSHAM. I do not know anything about it except what the Abstract says. That may be true of Missouri—probably was. I think probably to that extent the gentleman from Illinois is right and that the Abstract is wrong, but in all others I think the Abstract is right.

Mr. MANN. Oh, well, that represents all the Indians which they counted in the census, and certain Indians may have been counted. The bulk of the Indians which were in tribal relations were not counted.

Mr. WICKERSHAM. Nor is Alaska's population relatively small when compared with that of several States when they were admited into the Union, permitted to adopt a State constitution, and to organize a State legislature with powers limited only by the Constitution of the United States, and to elect two United States Senators and Members in the House of Representatives.

Alaska compared with States.

	Organization census.		
Delaware	1776	1790	59,096
Rhode Island	1776	1790	68,825
Ohio	1802	1800	45,365
Illinois	1818	1820	55,162
Missouri	1820	1820	66,557
Florida	1838	1840	54,477
Oregon	1857	1860	52,465
Nevada	1864	1870	42,491
Wyoming	1889	1890	60,705
Alaska		1910	64,356

Alaska now has a larger population than 16 Territories had when they were given an elective territorial legislature and a larger population than 9 States when they were organized and given sovereign constitutional control over legislation within their borders. Notice, too, that as early as 1790 and as late as 1890 States in the Union had less population than Alaska now has.

The great area of Alaska is also raised as a bar to her prayer for the organization of an elective territorial legislature.

But, again, a comparison of Alaska's area with that of earlier organized Territories shows that Alaska is smaller than the upper Louisiana Territory when it was organized in 1805 and smaller than Missouri when, in 1812, it was organized as the Territory of Missouri. Compare the area of Alaska and that of the following Territories at the date of their legislative organization:

	Square miles.
Northwest Ohio River	266,000
New Mexico Territory	266,503
Indiana Territory	268,474
Wisconsin Territory	283,137
Oregon Territory	297,552
Dakota Territory	318,005
Idaho Territory	333,283
Nebraska Territory	360,512
Michigan Territory	387,988
Alaska Territory	590,884
Missouri Territory	861,608

Missouri was more than 270,000 square miles larger than Alaska now is when it was organized and given an elective Territorial legislature in 1812–1816. In 1819 the Territory of Arkansas was carved out of the lower part of the Territory of Missouri, and Missouri Territory had remaining 747,758 square miles, or more than 156,000 square miles more than Alaska; in 1821 the State of Missouri was created; still the Territory contained 678,343 square miles, or more than 87,000 square miles more than Alaska. It remained larger than Alaska until, in 1834, the Territory of Michigan was created, with 371,997 square miles, and embracing a part of the old Missouri territory. A careful examination of the historical data proves that the great area of these Territories was not, and was not even considered to be, a sufficient or any reason for refusing them an organized Territorial government with an elective legislature, but was rather thought to be a sound reason for sharing the burden with those hardy pioneers who were willing to assume it.

The Delegate from Alaska in his Washington office has daily telegraphic communication with all parts of that Territory. It took a season's journey by stagecoach and canoe for the representative from Michigan Territory to secure such information in 1805; in 1848, when Oregon was made a Territory, her Delegate came to Washington by the Isthmus of Panama, and he had communication with his constituents only once a year. Nome, Fairbanks, and Juneau, in the Territory of Alaska, are nearer Washington to-day than Portland, Seattle, and Boise were 30 years ago.

INCREASED FINANCIAL BURDENS.

There is another class of objections to the passage of the bill now before the House which is based upon the assumption that if Congress shall, in its discretion and for good cause, create an elective legislature in Alaska it will thereafter refuse to exercise its constitutional duty under section 3 of Article IV of the Constitution, which declares:

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States.

Many objections upon this score are made by the governor of Alaska in his recent report to the Secretary of the Interior and in his testimony before the various committees of Congress. He assumes that if Congress shall create an elective legislative body for Alaska it will therefore necessarily withhold many appropriations which it now makes for public uses there and thereby put such burdens upon its people that their government could not exist. For instance, he says:

> A territorial legislature being installed and a separate territorial treasury being established, if the National Government should decide to leave the care and education of the native people to the local legislature, the present appropriations for schools, reindeer, suppression of liquor traffic, and relief of destitution and medical relief would either have to be abandoned or supplied by the territorial treasury. These appropriations now amount to $224,000 per annum.

Of course, that result would follow "if the National Government should decide to leave the care and education of the native people to the local legislature." Notice the assumptions: First, that "a separate territorial treasury being established," when there is nothing in the bill about it; and, second, that if a separate territorial treasury is established, "if the National Government should decide to leave the care and education of the native people to the local legislature," when there is no such provision in the bill and no precedent in more than a hundred years' legislation to justify the assumption. Congress never did put the burden upon a Territory, having an elective legislature or not, to care for and educate the Indian tribes within its borders.

And, again, he says in his report:

> It is reasonable to be expected that under an organized territorial government, Alaska being treated like all the other Territories, the Federal Government would cease to make appropriations for roads, the protection of game, for the care of the insane and prisoners.

And, again, he overlooks the fact that it is the duty of Congress under section 8 of Article I of the Constitution "to establish post offices and post roads" and "to regulate commerce."

Certainly there is nothing in the bill now before the House which commits Congress to the policy of refusing "to make appropriations for roads, the protection of game, for the care of the insane and prisoners" in Alaska; nor is there a historical precedent to support the threat that Congress will adopt such an unfriendly policy—but quite to the contrary.

It is also declared that if Alaska shall be given an elective territorial legislature, Congress "would cease to make appropriations for the protection of game" in that Territory. Whether there would also be a refusal by Congress to continue to make appropriations to conserve the game resources and wild life in Alaska if Congress should pass an act to create an appointive legislative commission, as recommended by the President, we are not informed.

The fact is that Congress has long since established the national policy of protecting wild animals and birds in the States and Territories, and that without regard to whether the States or Territories have elective legislative assemblies or not. A brief examination of national legislation will disclose the policy which Congress has adopted.

On May 25, 1900, Congress passed "An act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes." Section 3 of that act extends its provisions to transportation of game "frome one State or Territory to another State or Territory, or from the Distict of Columbia or Alaska to any State or Territory, or from any State or Territory to the District of Columbia or Alaska," with adequate provisions for its enforcement. Congress has established laws for the protection of game in the District of Columbia, and appropriations are annually made for their enforcement. National game preserves have been established in the various States and Territories, and reservations of the public lands have been made for breeding grounds. Annual appropriations are made to cover the support and enforcement of these national game laws in all States and Territories, including Alaska. A national game preserve has been established in the Grand Canyon of the Colorado, in the Wichita forest reserve, in Oklahoma, and bird reserves on many islands in the Gulf of Mexico and on the different coasts of the country, including Alaska. All forestry reservations in the States and Territories have been made game preserves by the acts of Congress, and all forestry officers are specially required to enforce the game laws therein. The forest reservations in Alaska embrace an area greater than the State of Ohio. Will the Government abandon them or permit the slaughter of all game and birds therein because the people there are given an elective legislature? It is an unwarranted assumption.

What authority, then, is there for the governor of Alaska to declare that if Congress shall, in its judgment, create an elective legislature in Alaska it will necessarily abandon its general policy of conserving the wild birds and animals in that Territory? Of course his assertion is without basis in fact or precedent and he has no authority to make it. It is much more likely that the United States will continue its national efforts in all the States and Territories to conserve wild bird and animal life. Alaska being the great breeding ground, the nesting place, of most migratory birds from the United States, there need be no fear that it will discontinue its small appropriations in line with the national policy merely because the Territory is being developed by the hardy men of the north, who humbly petition Congress to aid them in that work by creating there the usual form of an American legislative body to be elected by the people. The development of the Territory in population, trade, and government will not in any respect interfere with the conservation of birds and wild animals or with the national policy in that respect.

Will Congress withdraw its appropriations for the support of prisoners and insane persons if it shall create an elective legislative body in Alaska? This inquiry, like others of its kind, can be authoritatively answered only by each Congress. Of course, Congress could withdraw all appropriations from Alaska for these and all other purposes; but would it, merely because it saw fit to aid in the development of a new Territory by creating there an elective Territorial legislature?

The only answer which can be made to this argument is to observe the policy pursued by Congress in other Territories.

Section 1936 of the United States Revised Statutes, 1878, provided that:

> SEC. 1936. The care and custody of the penitentiaries in Montana, Idaho, Wyoming, and Colorado, and the personal property thereunto

belonging, and the use and occupation thereof, are transferred to such Territories, respectively, until otherwise ordered by the Attorney General, but the legal title to such penitentiaries and the property shall continue to vest in the United States.

Section 1937 then provided that the United States would then pay $1 a day board for all United States prisoners confined in either of said penitentiaries. The United States by national appropriations built and maintained penitentiaries in those and all other organized Territories. When Dakota, Montana, and Washington were organized into the States of North and South Dakota, Montana, and Washington the penitentiaries belonging to the United States therein were conveyed to the States by the enabling act of February 22, 1889, which reads as follows:

SEC. 15. That so much of the lands belonging to the United States as have been acquired and set apart for the purpose mentioned in 'An act appropriating money for the erecting of a penitentiary in the Territory of Dakota," approved March 2, 1881, together with the buildings thereon, be, and the same is hereby, granted, together with any unexpended balances of the moneys appropriated therefor, by said act to said State of South Dakota for the purpose therein designated; and the States of North Dakota and Washington shall, respectively, have like grants for the same purpose and subject to the like terms and conditions as provided in said act of March 2, 1881, for the Territory of Dakota. The penitentiary at Deer Lodge City, Mont., and all lands connected therewith and set apart and reserved therefor are hereby granted to the State of Montana.

The same liberal policy has always been pursued by the United States in respect to the building of insane asylums in the Territories, and most extraordinarily liberal grants of lands have always been made in aid of the erection and maintenance of such institutions.

Every effort to develop the Territory of Alaska is objected to by some one who fears that his friends who have special interests there must pay a cent or two of taxes. In 1903, when the Senate subcommittee on Territories, consisting of Senators DILLINGHAM, NELSON, BURNHAM, and Patterson, visited Alaska and proposed to build wagon roads in that untracked wilderness, the same argument now made against home rule in Alaska was urged against the building of wagon roads in that Territory. The whole of the receipts and expenditures of the United States in Alaska for a year were arrayed, and it was assumed that Congress ought not to build wagon roads there, because the annual expenditures already exceeded the annual receipts from Alaska. But the subcommittee pointed out that the Government of the United States had a duty to perform in such cases quite apart from the amount which a Territory may or may not pay into the Treasury. Referring to the same array of figures as that offered by the governor of Alaska in opposition to the pending bill, the subcommittee of the Senate, in its report (No. 282, 58th Cong., 2d sess., Jan. 12, 1904), said:

It will be seen that every item of expense that can under any theory be charged in the debit and credit account against Alaska appears in the foregoing table of expenditures, and it will at once occur to everyone that if the Government of the United States were to assume the payment of such items as it assumes and pays in all Territories of the United States where a Territorial government has been established, the following items should not enter into the account, to wit:

Salaries, governor, etc	$51, 124. 43
Expenses of the United States courts	534, 000. 00
Expenses office United States marshal	2, 016. 72
Expenses of revenue vessels in Alaskan waters	115, 000. 00
Military, telegraph, and cable lines	384, 007. 20
Light and fog-signal stations	183, 485. 12
Supplies for native inhabitants	19, 586. 20
Miscellaneous	5, 940. 52
Total	1, 295, 160. 19

With these items thrown out, the legitimate charges which should be paid by the people of the district would appear to amount to only $138,506.22, or the difference between $1,443,666.41 and $1,295,160.19; and as the receipts by the Government are $468,017.04, a balance of $329,510.82 appears, which, in the opinion of the committee, should be devoted to internal improvements which will tend to develop that district.

It is a waste of time, however, to follow up and attempt to answer objections to the bill based, as these made by the governor of Alaska are, upon the mere assumption of the objector.

To assume that because Congress shall create an agency in Alaska to assist it in its constitutional duty to govern that Territory, it will therefore abandon both the agency and its duty and so conduct itself as to delay the performance of its constitutional trust, is to assume a position not justified by anything which Congress has ever done in the course of the development of any of our American Territories.

Having now very briefly considered the objections urged against the creation of any elective legislative assembly for Alaska, let us consider the body to which we are to fit the coat as to its present legislative and political status.

TREATY OF CESSION, MARCH 30, 1867.

By the third article of the treaty of cession it was agreed by the United States and Russia that:

ART. 3. The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may from time to time adopt in regard to aboriginal tribes of that country.

Nothing has ever been done by the United States to keep its agreement in respect to those Russian subjects who chose to abandon their allegiance to their native country and continue to reside in Alaska. If affirmative action of Congress is necessary to admit them "to the enjoyment of all the rights, advantages, and immunities of citizens of the United States," they have not been admitted. They and their descendants live along the coast in the old Russian villages from Unalaska to Sitka, and have never been allowed to take land, or mines, or even to act as officers of ships or steamboats. Are they citizens of the United States? And if not, when will the United States keep its solemn treaty agreement to admit them to naturalization as such?

THE UNORGANIZED TERRITORY OF ALASKA.

From the date of cession, in 1867, to May 14, 1884, Alaska was an unorganized territory. The laws of the United States relating to customs, commerce, and navigation were extended over it by the act of Congress of July 27, 1868, but no attempt was made by Congress to establish either courts, executive officers, or a legislature.

A DECADE OF MILITARY RULE.

On Friday, October 18, 1867, the Russians hauled down their flag and Gen. Rosseau, escorted by a company of the Ninth United States Infantry, raised that of the United States. Alaska began a decade of military government which is described by the historian Bancroft in terms too humiliating to repeat. In 1877 the military was recalled to the States, and thereafter a revenue-cutter service became the government of Alaska until, in 1884, it was organized as a Territory under the act of Congress of that year.

ORGANIC ACT OF MAY 17, 1884.

The act of 1884, organizing the Territory of Alaska, was drawn by Benjamin Harrison, a Senator from Indiana. The first section of the act provided that "Alaska shall constitute a civil and judicial district, the government of which shall be organized and administered as hereinafter provided." The act then provided for the appointment of a governor, a district judge, clerk, marshal, district attorney, and other officers by the President of the United States; it extended the laws of Oregon to Alaska, created a land district, and provided for land officers. Under this act the President appointed a governor, judge, and other officers, and the Oregon laws were enforced as if enacted by a local legislature.

CRIMINAL CODE OF 1889.

In 1899 Congress passed a special criminal code for Alaska, based primarily upon the code of Oregon and other Western States. It is still in effect and generally satisfactory.

ADDITIONAL ORGANIC ACT AND CARTER'S CIVIL CODE, 1900.

The act of June 6, 1900, provided for a system of three district courts in Alaska, greatly extending the provisions of the organic act of 1884, and contained a complete civil code of laws. Carter's Alaska codes were prepared and published by Senator Carter, of Montana, in 1900, and embraced in one code the whole of the laws then in force in Alaska, including both the criminal code of 1899 and the civil code of 1900. As a local legislature Congress had thus done for Alaska what it had not done for any other Territory, except the District of Columbia, in the history of the Government—it enacted and provided a complete system of local laws.

Alaska now has a complete criminal code, a complete civil code, and a complete system of courts, with appeals to the United States circuit court of appeals, ninth circuit, and, in the cases provided for by law, appeals to the Supreme Court of the United States.

DELEGATE ACT OF MAY 7, 1906.

The act of Congress of May 7, 1906, provided for the election by the people of the Territory of Alaska of a Delegate from Alaska to the House of Representatives. Under that authority elections have been held in Alaska, and three Delegates have respectively heretofore been elected and occupied seats in Congress from that Territory.

DEPARTMENTS OF GOVERNMENT IN ALASKA.

The American system of government is divided into three general departments—the executive, the judicial, and the legislative. An executive department, consisting of a governor of the Territory and other executive officers, was provided by the organic act of 1884; the executive department is as completely organized in Alaska as in any other Territory.

A district court of general jurisdiction was established by the organic act of 1884; and by the act of June 6, 1900, the courts of the Territory were reorganized, increased in number, their jurisdiction greatly extended, and the judicial department became as effective as that department is in Arizona and New Mexico. Instead of creating a supreme court for the Territory, however, Congress provided that appeals from district courts shall go to the United States circuit court of appeals, thus providing a complete judicial department for Alaska.

Congress has not, however, created a legislative department in Alaska. Though it has provided for the election of a Delegate in Congress, Congress has continued to exercise all the functions and powers of a Territorial legislature of that Territory, a function which it has not exercised in any other similar instance in the history of our Government. Alaska now has in practical shape every department of government created for and granted to other Territories except a Territorial legislature—a department which is greatly needed in aid of her future development.

ALASKA IS A CUSTOMS-COLLECTING DISTRICT.

The treaty by which the United States acquired the cession of Alaska from Russia was proclaimed on June 20, 1867. On July 27, 1868, Congress passed "An act to extend the laws of the United States relating to customs, commerce, and navigation over the territory ceded to the United States by Russia, to establish a collection district therein, and for other purposes." (15 Stat. L., 240.) This act gave the district courts of the United States in California or Oregon and the district courts of Washington Territory jurisdiction over all violations of the laws therein extended to Alaska.

The real purpose, however, in passing the act of July 27, 1868, was to create the customs collection district of Alaska, which was done in section 2 thereof, in which it is provided:

That all of the said Territory * * * shall constitute a customs collection district, to be called the District of Alaska, for which said district a port of entry shall be established * * *

at Sitka. When the revision of 1874 was enacted, section 2 of that act was both redrafted and reenacted into and became sections 2591 and 2592 of the United States Revised Statutes, 1878, and there read and appear as follows:

SEC. 2591. There shall be in the Territory of Alaska one collection district, as follows:
"The District of Alaska to comprise all the Territory of Alaska, in which Sitka shall be the port of entry."
SEC. 2592. There shall be in the collection district of Alaska a collector, who shall reside at Sitka.

It must therefore be conceded that Alaska is the customs collection "District of Alaska," and has been such "District of Alaska" since July 27, 1868, when the United States first extended its laws there. This is not an unusual situation; witness the State of Delaware (U. S. Rev. Stat., 1878):

SEC. 2546. There shall be in the State of Delaware one collection district, as follows:
"The district of Delaware to comprise the State of Delaware, in which Wilmington shall be the port of entry and New Castle, Port Penn, and Delaware City ports of delivery."

As Delaware is both the customs collection "District of Delaware" and the political State of Delaware, so is Alaska both the customs collection "District of Alaska" and the political Territory of Alaska.

ALASKA IS A JUDICIAL DISTRICT.

For 16 years—from 1868 to 1884—Alaska had no courts, but in the latter year the act of May 17, 1884, was passed, adopting the district-court plan there. However, Congress departed from the general rule, since but one district court was thought to be needed in that Territory, and in the first section of that act it was provided that Alaska—

* * * shall constitute a civil and judicial district (23 Stat. L., 24)—

And section 3 provided:

SEC. 3. That there shall be, and hereby is, established a district court for said district, with the civil and criminal jurisdiction of district courts of the United States, and the civil and criminal jurisdiction of district courts of the United States exercising the jurisdiction of circuit courts, and such other jurisdiction, not inconsistent with this act, as may be established by law;
And a district judge shall be appointed for said district * * *.

And thus Alaska was created and organized into a judicial district in accordance with the general plan, although given but one court instead of three, as in other Territories.

ALASKA IS A LAND DISTRICT.

The act of May 17, 1884, also created a land district in Alaska, as follows:

SEC. 8. That the said District of Alaska is hereby created a land district, and a United States land office for said district is hereby located at Sitka.

So that, beginning in 1884, there were three separate legal "Districts of Alaska" in the Territory of Alaska, viz, the customs collection "District of Alaska," the judicial "District of Alaska," and the land office "District of Alaska," and each of these was created and established under the general plan then and now adopted under our departmental system of government, and each of which was, and is, found in all other Territories, and neither has ever heretofore been supposed to detract anything from the political dignity of the Territory in which it existed.

ALASKA IS ALSO A TERRITORY.

That provision of Article IV, section 3, of the Constitution which declares "the Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States," is said to be one of the sources, probably the principal source, of the power of Congress to govern the Territories. If Alaska is a Territory in the sense that New Mexico and Arizona are Territories, and occupies the same legal and constitutional status as a Territory that all other Territories have occupied, it is an interesting fact and suggests a plain and well-understood basis for legislation. On the other hand, if it does not occupy that status it is important to have its true legal character stated, so that intelligent action in respect to it may be had by Congress.

Fortunately, the question has been determined by the highest authority and is not open to serious doubt. In a number of cases from Alaska, and in the insular cases, the Supreme Court of the United States has laid down the rules which determine the political character of the Territory, and these rules only need to be known and applied to give Alaska that standing to which it is entitled by reason of its great resources and the vigorous character and manhood of its citizens.

In the case of Steamer *Coquitlam v.* United States (163 U. S., 346–352), the political status of Alaska first came squarely before the Supreme Court of the United States for consideration, and the court said:

Alaska is one of the Territories of the United States. It was so designated in that order (assigning Alaska to the ninth judicial circuit), and has always been so regarded. And the court established by the act of 1884 is the court of last resort within the limits of that Territory.

Held, that the district court of Alaska was "in every substantial sense the supreme court of that Territory."

Again, in 1903, the same court, in deciding the case of Binns *v.* United States (194 U. S., 486–490), wherein the constitutionality of the license laws of Alaska was involved, quoted from the *Coquitlam* case, and then affirmed it, as follows:

It has been therefore held by this court in Steamer *Coquitlam v.* United States (163 U. S., 346–352) that "Alaska is one of the Territories of the United States. It was so designated in that order (the order assigning the Territory to the ninth judicial circuit), and has always been so regarded. And the court established by the act of 1884 is the court of last resort within the limits of the Territory." Nor can it be doubted that it is an organized Territory, for the act of May 17, 1884 (23 Stat., 24), entitled "An act providing a civil government for Alaska," provided "that the territory ceded to the United States by Russia by the treaty of March 30, 1867, and known as Alaska, shall constitute a civil and judicial district, the government of which shall be organized and administered as hereinafter provided." (See also 31 Stat., 321, sec. 1.)

Having thus affirmed its former decision that "Alaska is one of the Territories of the United States," and having then declared that it was an "organized Territory," the court turned its attention to the form of government which Congress had power to establish in a Territory, and said:

It must be remembered that Congress, in the government of the Territories, as well as of the District of Columbia, has plenary power, save as controlled by the provisions of the Constitution, that the form of government it shall establish is not prescribed and may not necessarily be the same in all the Territories. We are accustomed to that generally adopted for the Territories of a quasi State government, with the executive, legislative, and judicial officers, and a legislature endowed with the power of local taxation and local expenditures, but Congress is not limited to this form. In the District of Columbia it has adopted a different form of government, and in Alaska still another. It may legislate directly in respect to local affairs of a Territory or transfer the power of such legislation to a legislature elected by the citizens of the Territory It has provided in the District of Columbia for a board of three commissioners, who are the controlling officers for the District. It may intrust to them a large volume of legislative power or it may by direct legislation create the whole body of statutory law applicable thereto. For Alaska Congress has established a government of a different form. It has provided no legislative body, but only executive and judicial officers. It has enacted a penal and civil code. Having created no local legisiative body and provided for no local legislation in respect to the matter of revenues, it has established a revenue system of its own, applicable alone to that Territory.

And the court held that Congress had the power, as the legislature of the Territory of Alaska, to enact the license laws in question and that they were not unconstitutional.

In the last and most important case wherein the status of Alaska has been defined—Rasmussen *v.* United States (197 U. S., 516–524)—the Supreme Court for the third time declared "Alaska is one of the Territories of the United States;" and again, upon a very careful examination of the identical point, held that Alaska is also an organized Territory of the United States.

And in a case decided by the United States Circuit Court of Appeals, Ninth Circuit, on October 2, 1911, that court, following the decisions of the Supreme Court of the United States, held (191 Fed. Rep., 141):

Since the passage of act of May 17, 1884 (ch. 53, 23 Stat., 24), providing a civil government for Alaska, that Territory has been an organized Territory of the United States, and by virtue of Revised Statutes, section 1891, which provides that "the Constitution and all the laws of the United States which are not locally inapplicable shall have the same force and effect within all the organized Territories and in every Territory hereafter organized as elsewhere within the United States" all laws of Congress of general application not locally inapplicable are in effect in Alaska.

The President of the United States approved the opinion of the Judge Advocate General of the United States Army who, after quoting the foregoing decisions of the United States Supreme Court, held that—

In view of the express legislative and judicial recognition of the status of Alaska as a Territory, it is the opinion of this office that Alaska is a "Territory" within the meaning of section 1315, Revised Statutes, as amended, and as such is entitled to a cadet at the Military Academy.

The President thereupon appointed a cadet from the Territory of Alaska.

On May 7, 1906, Congress passed an act for the election of a Delegate to the House of Representatives from the Territory of Alaska, and the first section provides—

That the people of the Territory of Alaska shall be represented by a Delegate in the House of Representatives of the United States, chosen by the people thereof in the manner and at the time hereinafter prescribed, and who shall be known as the Delegate from Alaska.

That Alaska is one of the organized Territories of the United States has thus been expressly declared. First, by the Supreme Court of the United States, the judicial department of the Government; second, by the President of the United States, the executive department of the Government; third, by Congress, the legislative department of the Government.

THE CONSTITUTION EXTENDS OVER ALASKA.

Section 1891 of the Revised Statutes provides:

SEC. 1891. The Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within all the organized Territories, and in every Territory hereafter organized as elsewhere within the United States.

In Binns against United States, supra, the Supreme Court declared that "Alaska is one of the Territories of the United States," and then adds, "Nor can it be doubted that it is an organized Territory." It follows by the direct enactment of Congress and the force of section 1891, above quoted, that the Constitution has the same force and effect within the Territory of Alaska as elsewhere within the United States. Fortunately, again, we are not left in any doubt upon this point, for in the case of Rasmussen *v.* United States (197 U. S., 516) the Supreme Court, upon a most careful examination of the question, decided that—

Under the treaty with Russia ceding Alaska, and the subsequent legislation of Congress, Alaska has been incorporated into the United States, and the Constitution is applicable to that Territory.

The court held that the Constitution had been extended to Alaska, but declined to admit that the result was due solely to the force of the act of Congress as expressed in section 1891, saying:

Without attempting to examine in detail the opinions in the various cases, in our judgment it clearly results from them that they substantially rested upon the proposition that where territory was a part of the United States the inhabitants thereof were entitled to the guaranties of the fifth, sixth, and seventh amendments, and that the act or acts of Congress purporting to extend the Constitution were considered as declaratory merely of a result which existed independently by the inherent operation of the Constitution.

The Constitution, then, was extended to Alaska by its own inherent operation when Alaska became incorporated into and a part of the United States, and section 1891, Revised Statutes, was merely declaratory of the rule.

It is not necessary to cite other authorities or argument to demonstrate that—

1. Alaska is one of the Territories of the United States.
2. It is an organized Territory.
3. The Constitution of the United States extends over it.
4. It is incorporated into the United States.
5. It occupies the identical plane of relationship to the United States and to the several States that Arizona and New Mexico do.
6. The treaty of cession pledged the United States that the inhabitants thereof "shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States," and therefore.
7. In the natural course of events, when its territory shall be settled and organized and when its growth and permanent development shall make it desirable, one or more sovereign States will be organized out of the Territory of Alaska and admitted into the Union.

EXTENSION OF REPUBLICAN INSTITUTIONS.

In Alaska, then, we find a great Territory, equal in extent to one-sixth of the whole area of the United States, now a part of the body of our Nation, entitled to all those constitutional rights which every other American Territory has received, and dedicated to constitutional freedom. Without Alaska shall be ceded to a foreign nation by the United States, it must inevitably continue to be developed, guided, and controlled by its people, under the Constitution of the United States, until finally it shall become one (or more) of the sovereign States in the American Union. That result can not finally be avoided, though it may long be delayed by the refusal of Congress to give its active aid and assistance to bring it to fruition.

Sumner and Seward, and that group of statesmen which represented the ideas of their great leader, Abraham Lincoln, clearly foresaw the strategic and material value of the Territory to the United States and intended that Alaska should become a member of the family of the United States upon exact constitutional equality with every other member thereof. The Supreme Court of the United States has clearly, forcefully, and finally determined that their efforts were effectual.

William H. Seward, Secretary of State, who signed the emancipation proclamation with Abraham Lincoln, wrote the treaty by which the United States acquired Alaska. The third article of that treaty was drawn from and based upon similar articles in the Louisiana, Florida, and Mexican treaties, all of which gave national pledges that the territory thereby included within the extended dominion of the United States should be created into sovereign States and admitted, as soon as may be, into the Union of the United States. Alaska has the same pledge for the establishment of a republican form of government that lies at the foundation of every State government west of the Mississippi River.

In his great speech, delivered in the United States Senate on May 28, 1867, urging the immediate ratification of the treaty for the acquisition of Russian America, Charles Sumner, the Senator from Massachusetts, in chaste and beautiful language expressed the purpose of the United States in thus acquiring and extending their dominion over Alaska. His words are so fraught with meaning and importance to my Territory that I shall quote them in full:

More than the extension of dominion is the extension of republican institutions, which is a traditional aspiration. It was in this spirit that independence was achieved. In the name of human rights our fathers overthrew the kingly power, whose representative was George the Third. They set themselves openly against this form of government. They were against it for themselves, and offered their example to mankind. They were Roman in character, and turned to Roman lessons. With a cynical austerity the early Cato said that the kings were "carniverous animals," and at his instance the Roman Senate decreed that no king should be allowed within the gates of the city. A kindred sentiment, with less austerity of form, has been received from our fathers; but our city can be nothing less than the North American continent with its gates on all the surrounding seas.

John Adams, in the preface to his Defense of the American Constitution, written in London, where he resided at the time as minister, and dated January 1, 1787, at Grosvenor Square, the central seat of aristocratic fashion, after exposing the fabulous origin of the kingly power in contrast with the simple origin of our republican institutions, thus for a moment lifts the curtain of the future: "Thirteen governments," he said plainly, "thus founded on the natural authority of the people alone, and without any pretense of miracle or mystery, and *which are destined to spread over the northern part of that whole quarter of the globe*, is a great point gained in favor of the rights of mankind." (John Adams's works, vol. 4, p. 293.) Thus, according to this prophetic minister, even at that early day was the destiny of the Republic manifest. It was to spread over the northern part of the American quarter of the globe; and it was to be a support to the rights of mankind.

By the text of our Constitution the United States are bound to guarantee a "republican form of government" to every State in this Union; but this obligation, which is only applicable at home, is an unquestionable indication of the national aspiration everywhere. The Republic is something more than a local policy; it is a general principle, not to be forgotten at any time, especially when the opportunity is presented of bringing an immense region within its influence. Elsewhere it has for the present failed, but on this account our example is more important. Who can forget the generous lament of Lord Byron, whose passion for freedom was not mitigated by his rank as an hereditary legislator of England, when he exclaims in memorable verse:

"The name of commonwealth is past and gone
O'er the three fractions of the groaning globe."

Who can forget the salutation which the poet sends to the "one great clime," which, nursed in freedom, enjoys what he calls "the proud distinction" of not being confounded with other lands—

"Whose sons must bow them at a monarch's motion,
As if his senseless scepter were a wand."

The present treaty is a visible step in the occupation of the whole North American Continent. As such it will be recognized by the world and accepted by the American people. But the treaty involves something more. By it we dismiss one more monarch from this continent. One by one they have retired; first France, then Spain, then France again, and now Russia, all giving way to that absorbing unity which is declared in the national motto, "E pluribus unum."

Seward wrote the Nation's pledge for the extension of republican government to Alaska; Sumner announced, amplified, and successfully defended it before the Senate; the Supreme Court of the United States has affirmed and applied it in many de-

cisions; it is now the duty of the Congress of the United States to recognize and carry it into execution.

A CENTURY OF SERVITUDE TO RUSSIA.

Even if it be conceded that Alaska, as soon as may be, is entitled to have a republican form of government organized within its borders, it must also be conceded that Congress would not be justified in establishing it there until by sufficient population and other development of its resources the people would be benefited thereby. That concession requires those who are urging upon Congress the necessity for such action at this time to demonstrate that the time has arrived when Alaska has reached that period of development. Undoubtedly, as Senator Sumner so forcibly declared, the principle upon which the right of the people to a republican form of government is based was extended to Alaska at the moment of its incorporation into the political body of the United States; but as a practical matter Congress must determine, in its discretion, when the time shall arrive to move forward along the line of the principle and erect the framework of the government. If that time has arrived, as I think it has, Congress should act in compliance with the existing principle and enact the necessary legislation.

The time had not arrived in 1867. The vital principle upon which a republican form of government is based had no existence in the autocratic system which governed the Russian Empire.

Before Thomas Jefferson became President of the United States, and in 1799 Alaska and all its resources were leased by the Czar of all the Russias to the Russian-American Co. While it had been previously explored and its resources prospected by hardy and independent traders and subjects of the Czar, while they had blazed the trails and located the natural wealth of the land and the sea, this first leasing bill destroyed their pioneer rights and compelled them to return to Siberia in despair or to accept such employment as the company might give its serfs, at such wages as it pleased to bestow.

Again, 20 and 40 years later, he extended the lease, and that fur-trading monopoly was the ruler of the land and sea until in 1867 the United States purchased the Territory for $7,200,000. The conditions prevailing there in 1867 demonstrated that an autocratic leasing system, based upon a Government monopoly, had failed in a century of trial to create such a development in population and trade as to justify the United States in supplanting it with even the simple expedient of an American Territorial government. In his faithful photographic review of the conditions existing in Alaska when the United States acquired it in 1867, Senator Sumner declared:

These general considerations are reenforced when we call to mind the little influence which Russia has thus far been able to exercise in this region. Though possessing dominion over it for more than a century, this gigantic power has not been more genial or productive there than the soil itself. Her government there is little more than a name or a shadow. It is not even a skeleton. It is hardly visible. Its only representative is a fur company, to which has been added latterly an ice company. The immense country is without form and without light, without activity and without progress. Distant from the imperial capital and separated from the huge bulk of Russian Empire, it does not share the vitality of a common country. Its life is solitary and feeble. Its settlements are only encampments or lodges. Its fisheries are only a petty perquisite, belonging to local or personal adventurers rather than to the commerce of nations.

A CONTRAST—RUSSIAN POWER V. AMERICAN PRINCIPLE.

It ought to be a matter of profound satisfaction to every advocate of the principle of free government to compare the Alaska of to-day, after less than 45 years of American effort, with the photographic sketch of its century of stagnation and failure under Russian autocracy, just quoted from Senator Sumner's masterly description. I present that contrast with pride in the marvelous achievements of my constituents and countrymen, with renewed fealty to the principles of free government which made it possible for them to accomplish the work, and with the hope that the Members of this House will share that just pride with me and give such further aid to the continued growth of our institutions there as will result from the passage of the pending bill.

Before entering upon a discussion of the trade and commerce of Alaska, as shown upon the charts and statistical tables which I now exhibit to the House, I wish to refer to the concluding remarks of the Massachusetts Senator in urging the United States Senate to ratify the treaty for the purchase of Alaska. After having suggested to the Senate some of the labors necessary to the creation of a commonwealth in Alaska, and after having pointed out the necessity for a coast and geodetic survey of her waters and shores and an examination of her fisheries and mineral resources, he concluded his great oration with these words, which ought to be emblazoned in letters of gold upon Alaska's monument to Charles Sumner:

But your best work and most important endowment will be the republican government which, looking to a long future, you will organize, with schools free to all, and with equal laws before which every citizen will stand erect in the consciousness of manhood. Here will be a motive power without which coal itself will be insufficient. Here will be a source of wealth more inexhaustible than any fisheries. Bestow such a government and you will bestow what is better than all you can receive, whether quintals of fish, sands of gold, choicest furs, or most beautiful ivory.

Permit me now to call your attention to this map of the northern parts of America and Asia. It correctly delineates the positions of the northern parts of the American Continent in their relation to Siberia, Japan, China, and the Philippine Islands, and you will notice that Alaska occupies the mid-position between them. Your attention is called to the fact that Alaska is on the North Pacific steamship route from Panama, San Francisco, Seattle, Vancouver, and Prince Rupert to the Orient. A careful study of the situation must demonstrate that Alaska not only occupies a strategic position in respect to the trade and commerce between the United States and the Orient, but also in respect to military and naval affairs in the north Pacific Ocean, since the most direct route from San Francisco and Seattle to Yokohama and the Philippine Islands passes the southern coasts of Alaska. Alaska must be the base of supplies, the coaling station and harbor for our fleet in the North Pacific. I call your attention to the fact that from San Francisco to Yokohama via the coast of Alaska is but 4,470 miles, while from San Francisco to Yokohama via the Hawaiian Islands is 5,540 miles, or more than a thousand miles greater than the Alaskan route.

Mr. Chairman, I desire now to call to the attention of the House some of the great resources of Alaska. We have a population of 36,347 white people in Alaska, according to the census, but really more than 40,000 white people. Considered from the amount of trade originating in Alaska, these 40,000 white people are the most valuable in the United States trade territory.

I call your attention to the statistics of Alaska fisheries. Alaska has the richest fisheries in the world. The chart which I now exhibit shows the total pack of canned salmon on the Pacific coast from 1864 to 1911:

Pack (cases) of canned salmon on the Pacific coast, by years and waters, 1864 to 1911.

[A case contains 48 one-pound cans.]

Year.	Washington.	Columbia River.	Coastal streams of Oregon.	California.	Alaska.	British Columbia.	Total.
1864	.....	.....	.....	2,000	.....	.....	2,000
1865	.....	.....	.....	2,000	.....	.....	2,000
1866	.....	4,000	.....	.....	.....	.....	4,000
1867	.....	18,000	.....	.....	.....	.....	18,000
1868	.....	28,000	.....	.....	.....	.....	28,000
1869	.....	100,000	.....	.....	.....	.....	100,000
1870	.....	150,000	.....	.....	.....	.....	150,000
1871	.....	200,000	.....	.....	.....	.....	200,000
1872	.....	250,000	.....	.....	.....	.....	250,000
1873	.....	250,000	.....	.....	.....	.....	250,000
1874	.....	350,000	.....	2,500	.....	.....	352,500
1875	.....	375,000	.....	3,000	.....	.....	378,000
1876	.....	450,000	.....	10,000	.....	7,247	467,247
1877	5,500	380,000	7,804	30,000	.....	58,387	481,691
1878	5,658	460,000	16,634	48,974	8,159	89,946	629,191
1879	1,300	480,000	8,571	13,855	12,530	61,093	577,349
1880	5,100	530,000	7,772	75,750	6,539	61,849	687,010
1881	8,500	550,000	12,320	181,200	8,977	169,576	930,573
1882	7,900	541,300	19,186	200,000	21,745	240,461	1,030,592
1883	1,500	629,400	16,156	123,000	48,337	163,438	981,831
1884	5,500	620,000	12,376	81,450	64,886	123,706	907,918
1885	12,000	553,800	9,310	90,000	83,415	108,517	857,042
1886	17,000	448,500	49,147	39,300	142,065	152,964	848,976
1887	22,000	356,000	73,996	36,500	206,677	204,083	899,256
1888	81,475	372,477	92,863	74,822	412,115	184,040	1,217,792
1889	11,674	309,885	98,800	57,300	719,196	417,211	1,614,066
1890	8,000	435,774	47,009	25,065	682,391	411,257	1,609,696
1891	29,029	398,953	24,500	10,353	801,400	314,511	1,578,746
1892	57,426	487,338	83,600	2,281	474,717	248,731	1,354,083
1893	127,969	415,876	52,778	26,436	643,654	610,202	1,876,915
1894	131,900	490,100	54,815	31,663	686,440	492,232	1,887,150
1895	214,017	634,696	77,878	29,035	626,530	587,692	2,169,848
1896	241,879	481,697	87,360	13,387	966,707	617,782	2,408,812
1897	536,926	552,721	60,158	38,543	909,078	1,027,183	3,124,609
1898	433,720	487,944	75,679	29,731	965,097	492,551	2,484,722
1899	965,165	332,774	82,041	24,180	1,078,146	765,519	3,257,825
1900	526,550	358,772	12,237	39,304	1,548,139	606,540	3,091,542
1901	1,456,090	390,183	58,618	17,500	2,016,804	1,247,212	5,186,407
1902	652,651	317,143	44,236	16,543	2,536,824	627,161	4,194,558
1903	484,378	339,577	54,861	8,200	2,246,210	473,847	3,607,073
1904	345,447	395,104	98,874	17,807	1,953,756	465,894	3,276,882
1905	1,055,641	397,273	89,055	2,780	1,894,516	1,167,822	4,607,087
1906	467,042	394,898	107,332	.....	2,219,044	629,460	3,817,776
1907	725,462	324,171	79,712	.....	2,169,873	547,459	3,846,677
1908	483,222	253,341	52,478	.....	2,606,973	566,303	3,962,317
1909	1,664,760	274,087	58,169	5,633	2,395,477	993,060	5,391,185
1910	633,521	391,415	103,617	14,016	2,413,054	760,830	4,316,453
1911	1,644,550	543,331	153,828	11,746	2,820,066	948,965	6,122,483
Total	13,070,452	17,503,530	1,983,770	1,445,674	36,389,737	16,644,721	87,037,884
Per cent of total	15.02	20.11	2.28	1.66	41.81	19.12	.....

I call your attention to the fact that out of the 87,037,884 cases of salmon canned upon the Pacific coast since 1864 only 15.02 per cent were canned in the State of Washington, 20.11 per cent on the Columbia River, 2.28 per cent in Oregon, 1.66 per cent in California, 19.12 per cent in British Columbia, and 41.81 per cent were canned in Alaska. The salmon of Alaska are more valuable, too, in proportion to the pack than in any of the other districts on account of the fact that Alaska produces a larger proportion of the higher grade fish.

Mr. YOUNG of Kansas. Mr. Chairman, I want to make a suggestion to the gentleman before he leaves the question of fisheries.

The CHAIRMAN. Does the gentleman from Alaska yield to the gentleman from Kansas?

Mr. WICKERSHAM. Yes.

Mr. YOUNG of Kansas. The gentleman did not give the value of fisheries production for the last year and the year before?

Mr. WICKERSHAM. No; I have not done so yet.

Mr. YOUNG of Kansas. I have it here for the last two years, and I would like to suggest it. In 1910 there was taken from the Alaska salmon fisheries alone $11,086,322, and in 1911 $14,593,237.

Mr. WICKERSHAM. Yes; and in the same year, when Alaska produced $14,593,237 worth of fish, the Newfoundland bank fisheries landed at Gloucester and Boston were of the value of only $4,833,341.

I now exhibit another table showing the value of the sea and fur products and mineral production of Alaska from 1880 to 1911, inclusive, and I call your attention to the fact that during that period the miners of Alaska have extracted from the earth more than $195,000,000 in gold and more than $206,000,000 in mineral products. I then call your attention to the output of our fisheries, $222,710,036, and the total sum of our sea and fur products and minerals, which is the enormous sum of $429,523,630.

Value of the output of sea, fur, and mineral products from Alaska, 1868 to 1911, inclusive.

Year.	Sea and fur products.						Mineral products.						Grand total.
	Fur-seal skins.	Aquatic furs, except seals.[1]	Furs of land animals.	Walrus and whalebone products.	Fishery products.	Total.	Gold.	Silver.	Copper.	Gypsum, marble, and tin.	Coal.	Total.	
1868	$708,734	$446,245	.....	.....	$306,638	$1,461,617	.....	.....	.....	.....	.....	.....	$1,461,617
1869	653,118	446,245	.....	.....	276,630	1,375,993	.....	.....	.....	.....	.....	.....	1,375,993
1870	188,126	446,245	.....	.....	263,648	898,019	.....	.....	.....	.....	.....	.....	898,019
1871	1,584,986	437,555	$61,012	.....	175,268	2,258,821	.....	.....	.....	.....	.....	.....	2,258,821
1872	1,231,580	437,555	281,838	.....	157,300	2,108,273	.....	.....	.....	.....	.....	.....	2,108,273
1873	1,439,307	437,555	127,478	.....	101,200	2,105,540	.....	.....	.....	.....	.....	.....	2,105,540
1874	1,498,176	437,555	129,149	.....	116,182	2,181,062	.....	.....	.....	.....	.....	.....	2,181,062
1875	1,402,662	437,555	135,931	.....	137,646	2,113,794	.....	.....	.....	.....	.....	.....	2,113,794
1876	857,203	437,555	189,503	.....	231,201	1,715,462	.....	.....	.....	.....	.....	.....	1,715,462
1877	853,283	437,555	150,340	.....	122,700	1,563,878	.....	.....	.....	.....	.....	.....	1,563,878
1878	1,110,145	437,555	149,394	.....	184,422	1,881,516	.....	.....	.....	.....	.....	.....	1,881,516
1879	2,451,954	437,555	171,200	.....	246,399	3,307,108	.....	.....	.....	.....	.....	.....	3,307,108
1880	2,465,539	437,555	200,651	.....	179,200	3,282,946	$20,000	.....	$826	.....	.....	$20,826	3,303,772
1881	2,167,172	523,205	152,664	.....	168,008	3,011,049	40,000	.....	.....	.....	.....	40,000	3,051,049
1882	1,436,906	523,205	128,952	.....	257,111	2,346,174	150,000	.....	.....	.....	.....	150,000	2,496,174
1883	1,710,580	523,205	179,148	.....	467,692	2,880,625	301,000	$11,146	.....	.....	.....	312,146	3,192,771
1884	1,454,650	523,205	269,710	.....	500,145	2,747,710	201,000	.....	.....	.....	.....	201,000	2,948,710
1885	1,641,101	523,205	256,217	.....	527,679	2,948,202	300,000	.....	.....	.....	.....	300,000	3,248,202
1886	1,987,793	523,205	266,134	.....	746,186	3,523,318	446,000	.....	.....	.....	.....	446,000	3,969,318
1887	1,716,476	523,205	288,604	.....	917,007	3,445,292	675,000	.....	.....	.....	.....	675,000	4,120,292
1888	2,298,204	523,205	232,185	.....	1,447,478	4,501,072	850,000	2,181	.....	.....	.....	852,181	5,353,253
1889	2,035,605	523,205	291,940	.....	2,352,652	5,203,402	900,000	7,490	.....	.....	.....	907,490	6,110,892
1890	1,673,757	523,205	294,562	.....	2,360,500	4,852,024	762,000	6,071	.....	.....	.....	768,071	5,620,095
1891	1,370,376	86,225	265,010	.....	2,756,742	4,478,353	900,000	7,920	.....	.....	.....	907,920	5,386,273
1892	1,018,184	86,225	286,768	.....	1,784,510	3,175,687	1,080,000	7,000	.....	.....	.....	1,087,000	4,262,687
1893	584,680	86,225	387,294	.....	2,322,308	3,380,507	1,038,000	6,570	.....	.....	.....	1,044,570	4,425,077
1894	859,259	86,225	383,235	.....	2,486,852	3,815,571	1,282,000	14,257	.....	.....	.....	1,296,257	5,111,828
1895	877,614	86,225	367,615	.....	2,123,107	3,454,561	2,328,500	44,222	.....	.....	.....	2,372,722	5,827,283
1896	872,454	86,225	227,432	.....	3,120,844	4,306,955	2,861,000	99,087	.....	.....	$84,000	3,044,087	7,351,042
1897	455,758	86,225	144,048	.....	3,132,976	3,819,007	2,439,500	70,741	.....	.....	28,000	2,538,241	6,357,248
1898	474,320	86,225	81,372	.....	3,429,529	4,071,446	2,517,000	54,575	.....	.....	14,000	2,585,575	6,657,021
1899	787,334	86,225	45,724	.....	3,749,110	4,668,393	5,602,000	84,276	.....	.....	16,800	5,703,076	10,371,469
1900	1,282,096	86,225	147,633	.....	5,303,294	6,819,248	8,166,000	45,494	.....	.....	16,800	8,228,294	15,047,542
1901	1,137,611	37,167	243,784	.....	6,685,262	8,103,824	6,932,700	28,598	40,000	.....	15,609	7,016,898	15,120,722
1902	1,160,306	37,167	240,589	.....	8,310,304	9,748,366	8,283,400	48,590	41,400	.....	19,048	8,392,438	18,140,804
1903	1,066,254	37,167	287,013	.....	7,505,245	8,895,679	8,683,600	77,843	156,000	.....	9,782	8,927,225	17,822,904
1904	620,940	37,167	126,829	.....	6,458,585	7,243,521	9,160,000	114,934	275,676	.....	7,225	9,557,835	16,801,356
1905	762,120	[2] 232,230	182,326	[3] $910,959	7,908,243	9,995,878	15,630,000	80,165	749,617	.....	13,250	16,473,032	26,468,910
1906	756,757	30,369	108,049	196,838	8,524,372	9,616,385	22,036,794	136,345	1,133,260	.....	17,974	23,324,373	32,940,758
1907	851,427	23,351	231,747	373,543	9,518,918	10,998,986	19,349,743	98,857	1,261,757	$125,644	53,600	20,889,601	31,888,587
1908	822,970	31,828	323,480	148,382	11,140,161	12,466,821	19,292,818	71,906	605,267	141,348	14,810	20,126,149	32,592,970
1909	[4] 601,506	69,508	[5] 318,605	194,073	10,422,169	11,287,256	20,411,716	76,934	536,211	168,747	12,300	21,205,908	32,493,164
1910	[4] 473,207	111,790	[5] 318,605	136,791	12,650,191	13,371,979	16,126,749	85,239	538,695	169,626	15,000	16,935,309	30,307,288
1911	[4] 432,913	39,733	313,730	114,877	16,377,463	17,278,716	[5] 17,150,000	[5] 220,000	2,898,885	215,485	([5])	20,484,370	37,763,086
Total	51,835,143	12,496,063	8,350,290	2,075,463	147,953,077	222,710,036	195,916,520	1,500,441	8,237,594	820,850	338,189	206,813,594	429,523,630

[1] The following data of the Bureau of Fisheries with respect to aquatic furs have been distributed by annual averages: 1868–1870, $1,338,735; 1871–1880, $4,375,551; 1881–1890, $5,232,050; 1891–1900, $862,250; 1901–1904, $148,668.

[2] Includes hair seal, 1868–1905, which can not be accurately distributed by years.

[3] 1868–1905.

[4] Product of seal islands only.

[5] Estimated.

Mr. MANN. Mr. Chairman, will the gentleman yield to a question?

The CHAIRMAN. Does the gentleman from Alaska yield to the gentleman from Illinois?

Mr. WICKERSHAM. With pleasure.

Mr. MANN. Under the provisions of this bill would the Territorial legislature have any jurisdiction over the matter of game and fisheries?

Mr. WICKERSHAM. Undoubtedly, except as it might come in conflict with an act of Congress.

Mr. MANN. Does not the bill expressly provide that if it does come in conflict with the act of Congress, the Territorial legislature may repeal the act of Congress.

Mr. WICKERSHAM. Not at all.

Mr. MANN. I am glad to hear the gentleman's opinion about that, although that is very plainly in the bill.

Mr. WICKERSHAM. I do not think a Territorial legislature could be given power to control Congress or repeal its legislation.

Mr. MANN. Not without authority, but the express authority is given in this bill to repeal an act of Congress.

Mr. WICKERSHAM. Congress passed a criminal code for Alaska in 1899 and a civil code in 1900, a class of legislation never before given to a Territory by the Congress, and it is necessary for the Alaska Legislature to have authority to change, correct, or amend those codes. It is an unusual situation.

Mr. MANN. Very likely that is true, but what I wanted to know was whether under the provisions of this bill the practical power of Congress over the protection of the game and fisheries of Alaska is not turned over to the Territorial legislature, so that we practically have nothing further to do with it.

Mr. WICKERSHAM. Of course Congress can pass any law it sees fit upon both those subjects, and such a law passed by Congress would be paramount.

Mr. MANN. Does the gentleman believe that the legislature of Alaska is as likely to conserve the game and fisheries of Alaska as is Congress? I will not ask the gentleman that question——

Mr. WICKERSHAM. I wish the gentleman would ask me that question.

Mr. MANN. He will say that the Territorial legislature is as likely to conserve the game and fisheries of Alaska as is Congress.

Mr. WICKERSHAM. I certainly do say so.

Mr. MANN. I suppose the gentleman will say that they would also conserve the land and the coal as well as Congress would.

Mr. WICKERSHAM. I might even say that.

Mr. SAMUEL W. SMITH. What is a fair average price for these agricultural lands which you say are valuable for the raising of oats and potatoes?

Mr. WICKERSHAM. There is no price except that fixed by the Government. There is an act of Congress giving settlers in Alaska the right to locate 320 acres each for a homestead, and any man the head of a family may go to Alaska and locate upon and acquire 320 acres of this land without price, except the price which he pays at the land office—$1.25 or $2.50 an acre.

Now, I call the attention of the House to a statement of the amount of money which the people of the Territory of Alaska have paid in to the Government of the United States by way of internal revenue, customs, and public lands, and all other items. It amounts to $14,792,000.

The United States, dr., to Alaska. Statement of Government revenues from Alaska under specified heads during years ended June 30, from 1869 to 1911, inclusive.

Year.	Internal revenue.[1]	Customs.	Public lands.	Tax on seal-skins.	Rent of seal islands.	Alaska fund.[2]	Agricultural experiment station.	Miscellaneous.	Total.
1869	.....	$18,504.30	.....	.....	.....	.....	.....	$316.72	$18,821.02
1870	.....	4,655.22	.....	.....	.....	.....	.....	12,997.82	17,653.04
1871	.....	4,097.47	.....	$101,080.00	.....	.....	.....	1,159.27	106,336.74
1872	.....	1,019.94	.....	322,863.38	.....	.....	.....	1,800.74	325,684.03
1873	.....	.....	.....	252,181.12	$55,009.00	.....	.....	671.53	307,852.65
1874	.....	321.93	.....	272,081.25	55,000.00	.....	.....	37,915.78	365,318.93
1875	.....	405.89	.....	262,494.75	55,000.00	.....	.....	1,037.92	318,938.56
1876	.....	.....	.....	262,584.00	55,000.00	.....	.....	366.48	317,950.48
1877	.....	$0.54	.....	236,155.50	55,000.00	.....	.....	380.55	291,536.59
1878	.....	4,815.75	.....	198,255.75	55,000.00	.....	.....	1,264.63	259,336.13
1879	.....	437.18	.....	262,447.50	55,000.00	.....	.....	403.38	318,288.06
1880	.....	1,950.50	.....	262,400.25	55,000.00	.....	.....	836.31	320,187.06
1881	.....	2,188.63	.....	262,594.50	55,000.00	.....	.....	514.78	320,297.91
1882	.....	1,046.66	.....	261,885.75	55,000.00	.....	.....	741.89	318,674.30
1883	.....	2,856.52	.....	262,295.25	55,000.00	.....	.....	1,587.03	321,738.80
1884	.....	645.40	.....	196,875.00	55,000.00	.....	.....	919.56	253,439.96
1885	.....	298.09	.....	262,400.25	55,000.00	.....	.....	469.98	318,168.32
1886	.....	1,276.42	.....	262,489.50	55,000.00	.....	.....	[3] 2,043.74	320,809.66
1887	.....	3,262.56	$375.00	262,452.75	55,000.00	.....	.....	1,556.73	322,647.04
1888	.....	2,338.44	.....	262,500.00	55,000.00	.....	.....	1,727.50	321,565.94
1889	.....	5,037.36	2,610.00	262,500.00	55,000.00	.....	.....	2,701.29	327,848.65
1890	$1,961.55	6,926.83	750.00	262,500.00	.....	.....	.....	18,862.32	291,000.70
1891	2,917.33	3,256.17	2,661.00	214,673.88	55,000.00	.....	.....	23,863.77	302,372.15
1892	3,576.00	5,831.03	420.00	46,749.23	.....	.....	.....	3,950.59	60,526.85
1893	2,714.53	6,723.33	515.00	23,972.60	.....	.....	.....	7,301.22	41,226.68
1894	2,111.50	16,322.00	2,730 47	96,159.82	500.00	.....	.....	6,435.59	124,259.38
1895	2,788.00	12,480.68	985.00	163,916.97	700.00	.....	.....	8,647.06	189,517.71
1896	3,682.58	8,335.58	550.00	153,375.00	1,100.00	.....	.....	8,948.44	175,991.60
1897	7,261.68	10,858.80	345.00	306,750.00	1,100.00	.....	.....	9,745.52	336,061.00
1898	15,946.21	35,586.60	135.00	212,332.35	700.00	.....	.....	19,338.20	284,038.36
1899	23,900.60	47,979.86	591.00	184,377.20	900.00	.....	.....	44,546.87	302,295.53
1900	13,601.96	57,623.62	2,376.32	224,476.47	1,200.00	.....	.....	195,658.85	494,937.22
1901	19,725.02	86,593.15	1,889.66	229,755.75	2,900.00	.....	.....	182,759.20	523,622.78
1902	23,281.17	62,682.47	5,819.96	231,821.20	.....	.....	.....	150,720.29	474,325.09
1903	17,494.58	70,938.66	2,286.56	286,133.40	100.00	.....	.....	126,956.92	503,910.12
1904	16,656.86	44,996.52	5,739.82	197,260.70	200.00	.....	.....	260,539.55	525,393.45
1905	18,419.84	133,978.25	9,686.37	134,233.80	200.00	$40,172.23	$300.31	122,308.32	459,299.12
1906	18,348.66	77,878.45	13,818.32	146,912.80	100.00	160,660.28	350.70	115,492.64	533,561.85
1907	18,544.16	98,449.46	54,195.21	148,017.10	100.00	164,656.14	4,796.28	91,418.83	580,177.23
1908	15,723.95	70,439.73	17,182.83	153,006.90	100.00	205,773.63	1,446.39	116,032.52	579,705.95
1909	18,217.40	67,025.79	79,116.26	153,375.00	[4]	155,305.26	1,154.84	107,185.81	581,380.36
1910	20,332.93	56,348.23	131,264.05	153,375.00	[4]	260,040.26	866.42	112,374.21	734,601.10
1911	23,035.24	45,016.22	136,657.91	403,946.94	.....	175,490.59	2,536.41	114,561.70	901,166.01
Total	290,241.75	1,081,430.23	472,621.74	8,855,658.61	999,900.00	1,162,098.39	11,451.35	1,919,062.10	14,792,464.17

[1] The Territory of Alaska was attached to the District of Oregon, Dec. 27, 1872, and on Sept. 1, 1883, Washington and Oregon were consolidated; again on Sept. 1, 1902, Washington and Alaska were detached from the District of Oregon and made a separate district.
[2] Act of Jan. 27, 1905. [3] Forfeiture for taking seals unlawfully, included, $1,000. [4] Included under "Tax on sealskins."

Mr. NYE. In what length of time?

Mr. WICKERSHAM. Since 1867. This includes the amounts paid for customs, internal revenue, public lands, tax on sealskins, rent of seal islands, Alaska fund, and miscellaneous, and the total is $14,792,464.17, but this does not include the sum paid to the United States for telegraph tolls upon lines which are charged against Alaska. That gives us a further credit of about $2,000,000.

Mr. AUSTIN. What about the timber resources of Alaska?

Mr. WICKERSHAM. We have bodies of timber in southeastern Alaska—cedar, spruce, and other varieties of that kind—but in the central part of Alaska we only have spruce trees of merchantable size, and at Fairbanks we have sawmills, sash and door factories, and shops for the manufacture of such carpentry as we need in that country.

I now call your attention to the trade and commerce of Alaska, and those of you who have any interest in the growth and development of the trade and commerce of the United States ought to consider that with Alaska. It is supposed by some uninformed persons that there is nothing in Alaska except ice fields, and that it has no trade or commerce of any kind, but I now inform the House that Alaska has a greater trade with the United States than 43 other countries of the world.

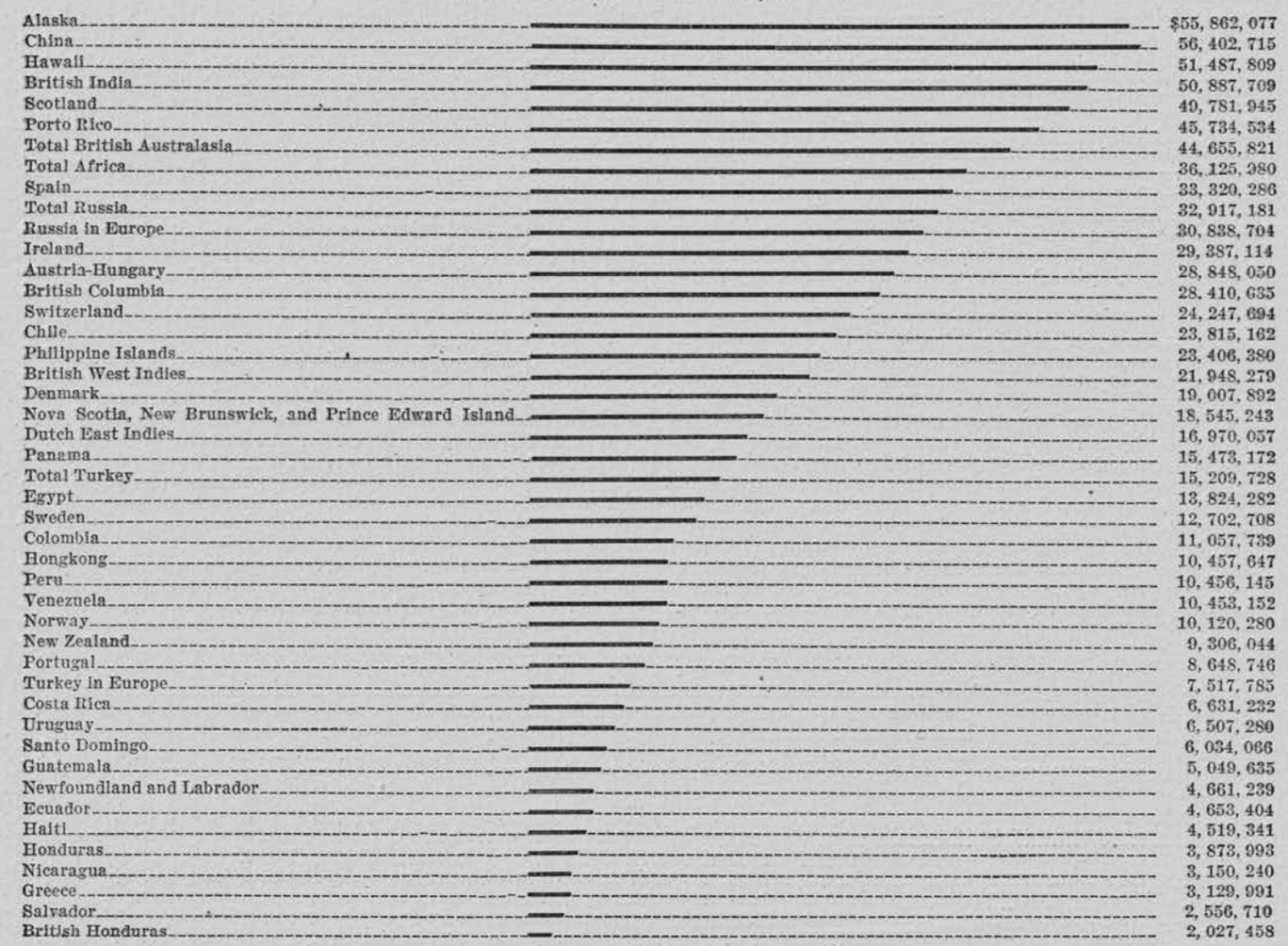
Comparative statement of the total commerce of Alaska and the commerce of specified insular possessions and foreign countries with the United States during years ended June 30, from 1904 to 1911, inclusive.

Countries.	1904	1905	1906	1907	1908	1909	1910	1911	Average.
Alaska	$49,244,606	$56,633,701	$55,873,942	$65,207,986	$47,950,873	$55,840,971	$60,220,132	$55,924,404	$55,862,077
Europe:									
Scotland	51,526,053	42,118,601	51,394,533	55,362,547	50,367,896	47,480,827	48,753,807	51,250,997	49,781,945
Spain	24,108,517	25,824,981	29,788,989	34,757,049	36,059,091	33,756,067	37,417,681	44,849,914	33,320,283
Russia in Europe	30,838,222	28,340,284	29,538,475	36,337,593	27,455,798	26,684,746	32,986,084	34,528,431	30,838,704
Ireland	31,382,909	24,411,264	31,635,870	29,886,595	28,346,013	29,224,579	30,651,469	29,558,214	29,387,114
Austria-Hungary	18,597,971	22,176,950	28,755,452	31,145,814	31,600,397	29,663,290	32,371,641	36,472,886	28,848,050
Switzerland	19,805,695	20,662,055	23,820,608	27,443,053	25,344,876	24,582,228	25,965,929	26,357,107	24,247,694
Denmark	14,746,357	15,890,318	24,200,589	24,510,934	22,814,634	19,147,521	15,843,237	14,909,550	19,007,892
Sweden	9,715,803	10,132,752	11,336,641	13,584,913	14,305,482	11,217,446	12,822,373	16,506,242	12,702,708
Norway	6,883,195	6,625,049	9,148,633	9,477,895	10,510,535	10,449,722	12,501,315	15,365,895	10,120,280
Portugal	7,178,705	8,529,053	6,602,471	9,266,922	8,053,994	10,141,967	9,731,588	9,685,268	8,648,746
Turkey in Europe	4,351,948	5,700,740	7,382,967	8,064,860	5,972,533	8,289,717	10,202,937	10,076,581	7,517,785
Greece	1,831,175	1,452,762	2,272,134	4,720,848	4,310,470	3,619,499	3,072,675	3,760,369	3,129,991

Comparative statement of the total commerce of Alaska and the commerce of specified insular possessions and foreign countries with the United States during years ended June 30, from 1904 to 1911, inclusive—Continued.

Countries.	1904	1905	1906	1907	1908	1909	1910	1911	Average.
North America:									
Porto Rico	$22,932,886	$29,607,215	$38,367,342	$47,756,418	$48,568,637	$50,012,857	$59,193,551	$69,437,367	$45,734,534
British Columbia	22,127,888	22,625,068	26,426,296	27,516,289	28,626,118	29,065,151	32,439,438	38,458,835	28,410,635
British West Indies	17,910,991	20,467,310	19,965,907	22,946,991	24,604,733	23,125,673	22,432,646	24,131,980	21,948,279
Nova Scotia, New Brunswick, and Prince Edward Island	16,318,976	15,127,141	17,528,051	18,498,417	19,083,000	18,606,375	21,482,526	21,717,457	18,545,243
Panama	1,420,471	5,558,716	13,526,176	17,903,267	19,702,010	18,474,524	22,825,560	24,374,654	15,473,172
Cota Rica	5,465,457	6,065,163	6,960,614	7,436,020	7,101,909	5,017,090	6,691,808	8,311,792	6,631,232
Santo Domingo	4,429,186	6,330,998	5,104,589	5,880,716	7,286,937	6,233,200	5,569,118	7,437,782	6,034,066
Guatemala	3,883,183	5,736,175	6,294,982	6,721,402	4,120,867	4,854,645	3,791,570	4,994,257	5,049,635
Newfoundland and Labrador	3,794,073	3,633,654	4,329,241	4,398,608	4,756,808	5,087,718	5,304,490	5,985,317	4,661,239
Haiti	3,808,873	3,398,730	4,493,317	4,190,782	4,338,217	4,463,306	5,289,028	6,172,474	4,519,341
Honduras	3,575,368	3,841,657	3,357,116	4,129,612	4,037,065	3,650,384	3,617,718	4,783,023	3,873,993
Nicaragua	3,416,489	3,458,433	3,349,260	2,951,277	2,735,711	2,360,098	3,012,559	3,918,091	3,150,240
Salvador	1,885,580	2,431,595	2,533,010	2,774,353	2,339,012	2,432,272	2,493,350	3,564,505	2,556,710
British Honduras	1,706,983	1,591,360	1,893,626	2,035,121	2,036,534	1,930,823	2,278,261	2,746,956	2,027,453
South America:									
Chile	15,600,667	16,462,970	25,612,703	28,482,686	23,972,471	19,178,659	29,225,572	31,985,578	23,815,162
Colombia	12,610,102	9,992,582	10,575,907	9,393,398	9,833,130	10,689,374	11,465,027	13,900,394	11,057,739
Peru	6,861,275	6,810,189	7,288,250	11,033,941	13,630,195	10,944,408	12,169,550	14,911,153	10,456,145
Venezuela	10,043,813	10,323,425	11,292,834	10,876,843	9,281,047	10,881,820	9,498,562	11,426,876	10,453,152
Uruguay	3,779,734	5,149,550	5,617,143	6,573,676	5,233,457	7,087,190	11,686,041	6,931,447	6,507,280
Ecuador	3,713,401	4,252,553	4,642,067	4,785,862	4,310,314	4,580,029	5,075,665	5,867,344	4,653,404
Oceania:									
Hawaii	36,840,648	47,865,235	38,918,874	43,507,538	56,678,660	58,213,723	66,743,366	63,132,828	51,487,809
Philippine Islands	16,899,847	18,858,524	17,797,371	20,171,862	21,625,955	20,623,427	34,150,542	37,123,511	23,406,380
Total British Australasia	34,535,854	38,246,225	40,516,560	49,701,402	49,009,859	46,360,681	52,248,534	46,627,454	44,655,821
New Zealand				10,498,444	9,542,530	8,311,202	9,745,213	8,432,832	9,306,044
Africa:									
Egypt	8,433,201	9,333,240	10,554,749	17,840,783	14,989,434	12,494,648	13,158,953	23,789,249	13,824,282
Total Africa	33,656,902	29,884,225	32,191,075	37,638,492	36,631,240	32,144,061	36,041,119	50,820,727	36,125,980
Asia:									
China	42,027,513	81,337,903	72,305,581	59,141,074	48,364,579	48,218,747	46,310,982	53,515,339	56,402,715
British India	36,224,842	39,727,722	52,961,064	66,317,212	53,703,600	51,919,484	52,881,501	53,366,250	50,887,709
Dutch East Indies	11,935,390	20,132,453	22,341,680	13,442,093	16,277,316	25,590,599	12,893,160	13,147,761	16,970,057
Hongkong	11,977,766	12,321,982	8,873,947	11,072,850	11,104,417	9,036,821	8,798,938	10,474,453	10,457,647
Total Russia:									
Europe and Asia	31,306,575	28,811,412	32,634,226	39,486,537	29,870,340	29,113,825	35,207,023	36,907,511	32,917,181
Total Turkey:									
Europe and Asia	10,697,462	12,083,388	14,514,294	16,360,003	12,732,970	14,947,270	18,711,573	21,630,865	15,209,728

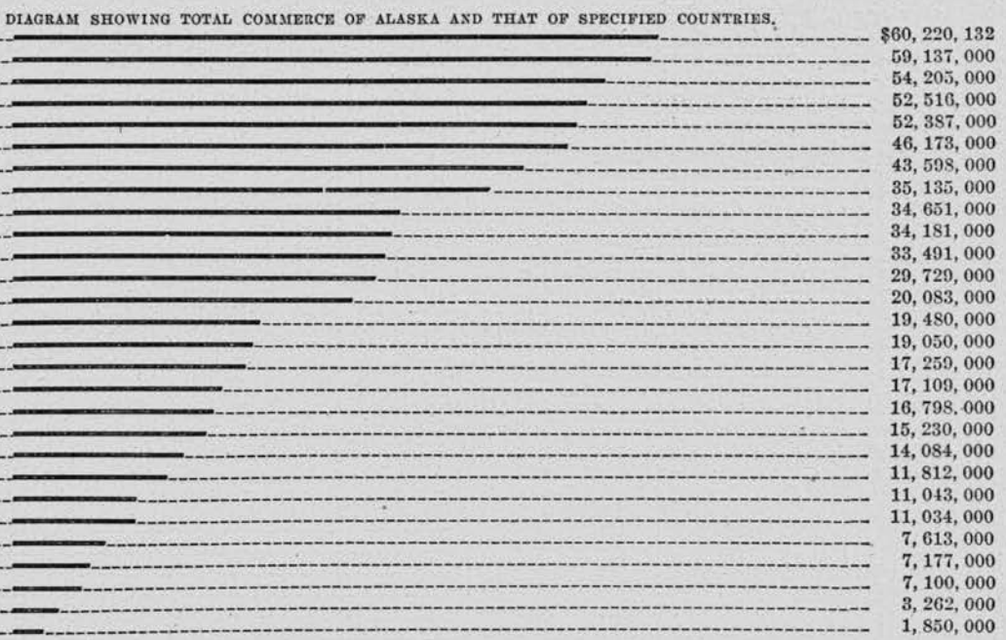
COMPARATIVE DIAGRAM SHOWING TOTAL AVERAGE ANNUAL COMMERCE OF ALASKA AND OTHER SPECIFIED COUNTRIES WITH THE UNITED STATES DURING EIGHT YEARS FROM 1904 TO 1911, INCLUSIVE.



I call your attention to this chart, showing the trade of Alaska for eight years from 1904 to 1911, with an average trade of $55,862,077 per year. I then call your attention to the fact that this statement shows that there are 43 countries of the world whose trade with the United States is less than that of Alaska. Scotland has an average trade of only $49,000,000 per annum, while Spain, Russia in Europe, Ireland, Switzerland, Denmark, Sweden, Norway, Portugal, Turkey in Europe, and Greece each has less trade with the United States than Alaska. Coming to North America, Porto Rico had a trade with the United States for the eight years shown on this chart averaging only $45,734,534, while 13 other North American countries shown below Porto Rico had a less trade with the United States than $28,000,000 each. In South America, Chile, Colombia, Peru, Venezuela, Uruguay, and Ecuador each had a less trade with the United States than Alaska; as a matter of fact, the trade with all of them is a little more than that of Alaska with the United States. Then notice the trade of Hawaii, which averages only $51,487,809 per annum for the last eight years; the Philippine Islands, which averages only $23,406,380 for the last eight years. Total British Australasia is much less than Alaska, while New Zealand is less than one-fifth as much. Alaska has more than twice the trade with the United States that the Philippine Islands have. I call your attention to Africa, where Egypt has less than one-fourth of the trade with the United States that Alaska has, and the whole trade of the Continent of Africa with the United States is nearly $20,000,000 less than the trade of Alaska.

China, with her 450,000,000 people, had a trade with the United States for the eight years shown on this chart averaging $56,402,715, only $600,000 per annum more than that of Alaska. The whole trade of Russia with the United States is less than that of Alaska; the whole trade of Turkey with the United States is less than that of Alaska.

COMPARATIVE DIAGRAM SHOWING TOTAL COMMERCE OF ALASKA AND THAT OF SPECIFIED COUNTRIES.



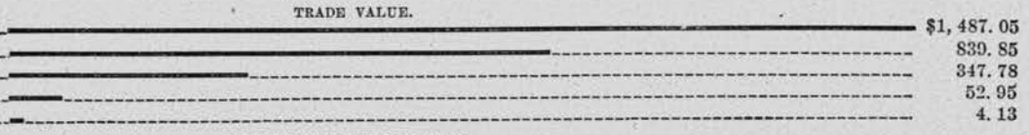
I now call your attention to a comparative diagram showing the total commerce of Alaska and that of specified countries of the world. The total trade and commerce of Alaska for the year 1910 was $60,220,132. Now, this chart shows 27 countries of the world, each of which had a less total trade with the world than Alaska had in the same year. For instance, Peru in 1909 had a total trade with the world of $52,516,000. Greece in 1909 had a total trade with the world of $43,598,000. Colombia, Venezuela, Honduras, Ecuador, Morocco, Guatemala, Panama, and Salvador—each of these countries had a less trade with the world in the year 1910 than Alaska. I call your special attention to this fact that Alaska has a larger total trade with the world than each of these 27 countries, because I wish to refer to the fact that many of them support national governments upon that trade. It is charged against Alaska that she ought not to have an elective territorial legislature, all the expenses of which would be paid by the United States, because she could not maintain a few slight, independent, financial burdens which Territories ordinarily meet. There is nothing in the bill before the House to require Alaska to assume any financial burden whatever, and in view of the fact that the bill does provide that neither the Territory of Alaska nor any municipal division therein can become indebted for any purpose whatever, it is apparent that whatever financial burdens she creates must be met immediately with the cash. If she does not have the money she can not assume the burden. But in view of the fact that Peru, Colombia, Venezuela, Honduras, and these 27 countries of the world, each with a less total trade than Alaska, find themselves able to maintain national as well as municipal governments ought to convince this House that Alaska can raise a small sum of money for the beginning of a territorial government therein.

Of course, it may be said that this great trade and commerce in Alaska is ephemeral and will not continue, but the truth is, and the evidence in the Bureau of Statistics shows it, and these charts drawn therefrom show it, that from 1867 to this moment trade with Alaska has been steadily increasing, notwithstanding the fact that Congress has given little aid, support, or sympathy to that Territory. The trade there is growing year by year, and if Congress would only understand the situation and give the Territory sympathetic development by passing the necessary legislation, that great Territory will continue to increase its trade as the years go on.

Your attention is called to the trade value of white Alaskans in comparison with the trade value of the people of Hawaii, Porto Rico, and the Philippines.

Diagram showing commercial worth to the United States of each inhabitant (according to population census of 1910) of the noncontiguous Territories and insular possessions for the fiscal year 1910.

TRADE VALUE.



COMPARATIVE TRADE VALUE.

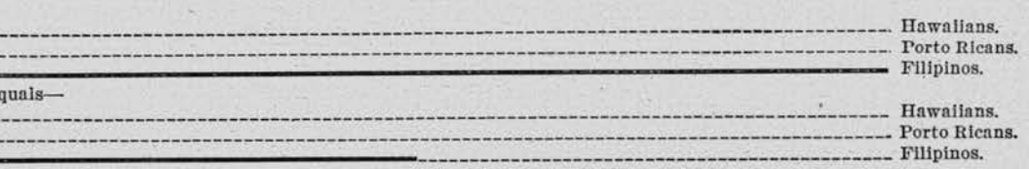
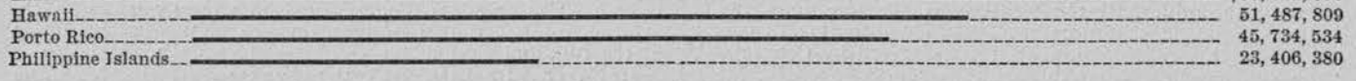


Diagram showing the total average commerce of Alaska and the total average commerce of specified insular possessions with the United States from 1904 to 1911, both inclusive.



Dividing the total trade of Alaska for the year 1910 by the total number of white people shown by the census to inhabit the Territory, it will be found that each white Alaskan in that year was worth $1,487.75 in trade with the United States. If to the white population you add all the Indians—men, women, and children—then each inhabitant in Alaska was worth $839.85. By the same analysis each Hawaiian in 1910 was worth $347.78, each Porto Rican $52.95, and each Filipino only $4.13. In other words, every white man, woman, and child in Alaska was worth 4.3 Hawaiians, or 28 Porto Ricans, or 360 Filipinos.

I now call your attention to the Alaska balance sheet, which shows upon the one hand the total production of Alaska from 1867 to 1911, and upon the other hand the total cash disbursements made by the Government of the United States for every purpose in the Territory of Alaska from the date we purchased it until 1911. We have produced in Alaska from 1867 until 1911, $206,813,594 in minerals, and in sea and fur products the sum of $222,710,036, and we have paid into the Treasury of the United States from customs, internal revenue and license taxes, and other cash items $17,117,354.79, making a total production and export from Alaska into the United States of $446,640,984.79. [Applause.]

Balance sheet of United States in account with Alaska, 1867 to 1911, both inclusive.

Production:		Total cash disbursements:	
Minerals:		Original purchase price	$7,200,000.00
Gold	$195,916,520.00	Treasury, 1867–1911	23,158,126.06
Silver	1,500,441.00	Post Office, 1867–1911	5,458,548.19
Copper	8,237,594.00		
Gypsum	547,345.00		
Marble	185,443.00		
Tin	88,062.00		
Coal	338,189.00		
Seal and fur products—			
Fur-seal skins	51,835,143.00		
Aquatic furs, except seals	12,496,063.00		
Furs of land animals	8,350,290.00		
Walrus products	268,053.00		
Whalebone	1,707,410.00		
Fishery products	147,953,077.00		35,816,674.25
Total cash receipts	17,117,354.79	To balance due Alaska	410,824,310.54
	446,640,984.79		446,640,984.79

On the other side of that balance sheet is the $7,200,000 which the Government of the United States paid to Russia for Alaska; then the Treasury statements for the payments made from 1867 to 1911, inclusive, except the expenses which are in the next item. The total moneys expended by the Government of the United States in Alaska from 1867 to 1911 in maintaining the National Government there, collecting customs and the revenues, maintaining the courts, the fur-seal fisheries, boundary commissions, and generally all items of governmental expense in the Territory of Alaska have amounted only to $35,816,674.25. That leaves a difference between the productions of Alaska and the amount the Government of the United States has expended therein of $410,824,310.54. [Applause.] That is the gross sum which the people—the merchants, banks, and the trade in the United States—have received from Alaska over the sum expended in buying and maintaining that Territory. All that wealth has been produced by Alaskans, who now ask the poor boon of permission to create an agency there in aid of Congress in governing themselves and creating more wealth.

Mr. TILSON. Does that include expenditures made by the War Department for the Army?

Mr. WICKERSHAM. It does for military cables, telegraph lines and roads, but not for military posts and the support of the Army. I have here a statement of the Treasury Department, showing all the items, which has been exhibited to the committee in detail.

Mr. SLAYDEN. What does that $17,117,354.79 include?

Mr. WICKERSHAM. All the receipts of the Government from internal revenues, customs, public lands, moneys paid into the Alaskan fund, and everything of that kind—cash received by the United States from Alaska. Between 1867 and 1911 the merchants and the people of the United States have received in cash, in gold and silver and copper and fish, $410,824,310.54 more than the Government of the United States has actually expended in the Territory of Alaska. I challenge any man in this House to show a better balance sheet for his State than that.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. RAKER. The gentleman has given us a statement of the amount of money received and the amount that the Government has expended for Alaska.

Mr. WICKERSHAM. Yes.

Mr. RAKER. The amount of appropriations, the amount for the post offices, but the gentleman has overlooked entirely the value in land and gold in Alaska, all belonging to the Government of the United States.

Mr. WICKERSHAM. Yes; that is a matter for fair consideration. These 40,000 white people are in Alaska working on your lands. We are developing your country; we are establishing civilization; we are building roads, churches, schools, and all that goes to make life safe and sacred in that Territory; and we are paying the bills ten times over out of our labor. Now, we say to you that we are good American citizens, that there are 40,000 of us who have the ideals of American citizens, and we want to be treated just as other American citizens have been treated in the Territories of the United States. [Applause.] We want to be treated like men who believe in the principles of the Declaration of Independence—like you ought to treat your own brothers and sisters who are engaged in nation building on the distant frontier.

Mr. SAMUEL W. SMITH. Mr. Chairman, is it the gentleman's intention to put into the RECORD in connection with his speech the charts to which he has referred?

Mr. WICKERSHAM. It is.

Mr. Chairman, I shall be very glad to take up the subject of this bill and to answer any inquiry which may be made concerning it. When it was first introduced in this House three years ago I sent 5,000 copies of it out to the people of the Territory of Alaska. It has been published in all of the newspapers of that Territory. Our people are all in favor of it. It has been before both Senate and House committees of Congress for three years. It has been examined in every aspect, and our people are for it. The people of the Pacific coast favor it, and I am satisfied that the Members of this House will pass it.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. RAKER. Outside of the productiveness of Alaska and the benefit it has been to the United States, the purpose of this bill is that these people living in this community may be given an opportunity to pass the laws under which they live and can control and conduct their business. Is not that the main object and purpose of the legislation?

Mr. WICKERSHAM. That is the main purpose and the only purpose of the bill.

Mr. RAKER. And ought not these people to be given an opportunity to pass laws under which they must live and control themselves as the people of any other part of the United States?

Mr. WICKERSHAM. Yes. We think so.

Mr. BUTLER. Mr. Chairman, will the gentleman permit a question?

Mr. WICKERSHAM. I will.

Mr. BUTLER. I feel very well satisfied with the presentation the gentleman is making and I know it is very interesting; it has satisfied me thoroughly and I am ready to vote for his bill.

Mr. WICKERSHAM. Thank you, sir. I have not labored in vain.

Mr. BUTLER. But I would like to ask the gentleman whether or not in the third section of this bill there is not authority conferred upon the legislature to repeal the acts of Congress that we passed?

Mr. WICKERSHAM. It is necessary to give the legislature authority to alter, amend, or repeal some of the laws passed by Congress, such as our civil and criminal codes, but there is a special exception in section 3 that this power shall not extend to the customs, internal revenue, postal, or other general laws of the United States.

Mr. BUTLER. I appreciate that. At the same time I understood the gentleman to say, in answer to the gentleman from Illinois, that there was no authority conferred upon this legislature to repeal existing acts of Congress applicable to Alaska.

Mr. WICKERSHAM. I think the legislature does have some proper authority in that respect, and it is necessary. If you created a legislature in Alaska and did not give it that power it could do nothing after it was created, because the criminal and civil codes now in force in Alaska, not including, of course, the United States penal laws, are laws passed by Congress. I think the matter is safely limited by section 3.

Mr. BUTLER. The gentleman appreciates the efforts that have been made by the Government to conserve the property of the Government.

Mr. WICKERSHAM. I do, and I sympathize with them thoroughly.

Mr. BUTLER. I have known the gentleman's position these years we have served together. Is there anything anywhere in this proposed act that would authorize the legislature to change the laws in regard to conservation, so as to interfere with the policy of the Government in any way in that direction?

Mr. WICKERSHAM. I think not.

The CHAIRMAN. The time of the gentleman from Alaska [Mr. WICKERSHAM] has expired.

Mr. BUTLER. Mr. Chairman, the gentleman has been very generous in permitting us to ask him questions. I ask unanimous consent that he may have five minutes——

Mr. MANN. The time is under control and it can be yielded to him.

Mr. FLOOD of Virginia. Does the gentleman desire more time?

Mr. WICKERSHAM. I would like to have 15 minutes, so that I may answer questions.

Mr. FLOOD of Virginia. I yield 15 minutes to the gentleman from Alaska.

Mr. WILLIS. Will the gentleman yield to a suggestion? I want to call his attention to the last section of the bill.

Mr. WICKERSHAM. While that is being done I want to call the attention of the House to the 9th section, as follows:

> The legislative power of the Territory shall extend to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States.

After having granted that power, the section proceeds with limitations. The first of those limitations is this one:

> But no law shall be passed interfering with the primary disposal of the soil.

So that the legislature in Alaska would have no power to dispose of the public domain or anything contained within it. The legislature would have no authority to dispose of any part or portion of the public lands of Alaska, the water power, or the coal or gold, or any of the natural resources of that Territory contained in or upon the public lands.

Mr. BUTLER. Mr. Chairman, does the last section—section 17—cover all the laws or embrace all the laws that may be passed?

Mr. WICKERSHAM. It does.

Mr. BUTLER. So that the Congress will have the opportunity of passing upon these laws before they become effective in Alaska?

Mr. WICKERSHAM. Congress has the constitutional right and duty to legislate for the Territories. Congress can repeal any act of a Territorial legislature by an act of Congress.

Mr. TILSON. Do I understand the gentleman to say that these laws will have no effect until they are submitted to Congress?

Mr. WICKERSHAM. I did not say that.

Mr. TILSON. But after they have gone into effect they may be disapproved and set aside by Congress?

Mr. WICKERSHAM. Yes, sir; that is the situation exactly. Until Congress shall disapprove an act of the legislature, however, it would be the law. It would be effective until disapproved.

Mr. FLOOD of Virginia. I do not think the gentleman exactly understood the question. These laws are submitted to Congress, and if disapproved by Congress they do not become effective.

Mr. TILSON. They go into effect, though, from the time of their passage, or from the time stated, and remain in effect until disapproved of by Congress?

Mr. WICKERSHAM. I think so. That has been the rule in all the Territories.

Mr. WILLIS. Will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. WILLIS. I want to suggest this: As to this fear that the Territorial legislature is going to do something it ought not to do, in addition to the limitation in this last section, the governor, appointed by the President, has the veto power.

Mr. WICKERSHAM. Yes. There are two vetoes on everything the legislature may do. There is a veto by the governor, appointed by the President of the United States, and if he vetoes a bill it shall not become a law. If he approves it, and if it becomes a law, it is referred to the President, and he lays it before Congress, and Congress may disapprove it.

Mr. RAKER. Will the gentleman yield? What is the power of the veto and passing the veto over the governor's head?

Mr. WICKERSHAM. It is the usual veto power given to the governor in all the Territories.

Mr. MANN. A vetoed bill can not become a law.

Mr. WICKERSHAM. Not unless it is passed over the veto.

Mr. MANN. By a two-thirds vote?

Mr. WICKERSHAM. Yes. That is the usual provision in all Territorial organic acts. I want to say further to the House that every provision, as I remember it, in this bill has been taken bodily from some other Territorial organic act heretofore passed by Congress. Generally they are the old, tried provisions of the organic acts which have been enacted into law in creating Territories ever since the first Territory was created in 1787. [Applause and cries of "Vote!" "Vote!"]

Mr. MANN. Mr. Chairman, I would like to ask the gentleman a question or two.

The CHAIRMAN. Does the gentleman from Alaska yield?

Mr. WICKERSHAM. With pleasure.

Mr. MANN. I see you have an election in Alaska now for Delegate, in August, have you not?

Mr. WICKERSHAM. Yes.

Mr. MANN. What is the object in having another election in November for the Territorial legislature?

Mr. WICKERSHAM. Only to make it conform to the general rule. And I will say to the gentleman that formerly this bill contained a provision requiring the election intended to be held in August to be held in November, so that both might be held at the same time, but it was thought best by the committee not to do that, in view of the doubt as to whether this bill might be passed in time, because the August election for Delegate in Alaska is drawing near at hand. On that account it was changed in that respect. I think both elections ought to be held on the same day, if that is what the gentleman has in mind. There is no necessity for two elections in the same year in Alaska. I think that ought to be amended at the next meeting of Congress, so that we can have both of them held at the same time.

Mr. MANN. Why does the gentleman say "the next meeting of Congress"? Is Congress at any other meeting more apt to legislate on the subject than at this?

Mr. WICKERSHAM. I do not know of any reason for holding two elections in the same year.

Mr. MANN. What is the object of changing the date from August to November in Alaska?

Mr. WICKERSHAM. My purpose was twofold. First, that both elections might be held on the national election day; and, second, that we might hold our elections in Alaska in November, when the transient fishermen who are imported from Seattle and San Francisco to fish in the summer time are away. Those fishermen frequently take it into their heads to vote at the elections in Alaska. They are there in August and they are not there in November, and, being disqualified, ought not to be allowed to vote.

Mr. MANN. The gentleman does not know whether they become citizens of Alaska or not, does he? Do I understand the purpose of changing the date is to prevent people from voting who are absent at that time?

Mr. WICKERSHAM. Not at all. It is merely to prevent illegal voting by persons who are not citizens of Alaska.

Mr. MANN. Is it not more convenient to the people to have an election in August than in November?

Mr. WICKERSHAM. No; it is not. It is more convenient to hold it in November. It was supposed when the act was passed, in 1906, when the election was fixed for Delegate, that it would be more convenient to have it in August, but it has been found by experience that it is more convenient to have it in November.

Mr. MANN. Of course, I have not had the honor or pleasure of visiting Alaska, and the gentleman overturns many preconceptions I have had heretofore about Alaska. Under the same conditions it would be preferable here to have the election in August, but certainly it is not desirable to hold an election in August and then another one in November in a place where the population is small and the Territory sparsely settled and the number of officers not very great. We have abolished that in almost every State in the Union.

Mr. WICKERSHAM. I agree so nearly with the gentleman that I do not like to have any controversy with him about it.

Mr. MANN. The gentleman can not have any controversy with me. I was appealing to the gentleman for information as to why this was.

Now, I would like to ask the gentleman, further, with reference to the game and fish laws and the control over railroads, and other things of that kind, in this bill: Is the gentleman quite sure that the laws that we have passed for the preservation of game in Alaska will be as safe in the hands of the Territorial legislature as they will be in the control of Congress?

Mr. WICKERSHAM. I think they would be; but I hope that Congress will not put them there. I think that Congress has entered upon a great national policy of conserving the wild animals and wild game of our country, and I hope it will not abandon it.

Mr. MANN. But it would abandon it by this bill.

Mr. WICKERSHAM. I do not think so.

Mr. MANN. Why not? Does not this bill confer upon the legislature of Alaska the absolute authority to legislate in reference to the preservation of game, subject, of course, to our repealing their laws?

Mr. WICKERSHAM. You must assume, then, that the legislature of Alaska is going to destroy the game. I do not agree with the gentleman about that. The people of Alaska have as great an interest in conserving the game as Congress, and more so, because they depend upon it to some extent. They are interested in it. They are good people, and they will protect that game as well as Congress could, but I hope that Congress will continue its policy in that matter.

Mr. MANN. The bulk of the people of Alaska are located in a few centers. They are not specially interested in the control of game. The moment you pass a law giving the Territorial legislature authority over the game and the fisheries, of course you excite the desire on the part of those who wish to change the law about conservation and fisheries to control elections to the legislative body. We have not been very good about the conservation of fisheries and game in Alaska. I think you are likely to be much worse.

Mr. WICKERSHAM. I should have no objection to the House putting in a provision reserving the right to Congress to control the game laws. We do not regard that as one of the important things.

Mr. MANN. We have a very good game law there now.

Mr. WICKERSHAM. Yes.

Mr. MANN. The trouble is about the enforcement of it.

Mr. WICKERSHAM. I do not know that there is any trouble in that regard.

Mr. MANN. The people of Alaska are not very anxious to have the game laws enforced.

Mr. WICKERSHAM. On the contrary, I think they are.

Mr. MANN. There are a great many complaints that they are not. I do not know what the facts are.

Mr. WICKERSHAM. I think no citizen of Alaska has been convicted of a violation of the game laws.

Mr. MANN. I have no doubt that is true. I doubt whether it is very practicable to convict a citizen of Alaska, under ordinary conditions, in the courts up there. For the same reason if they had power to change the game laws I doubt whether it would be possible to have a law preserving the game of Alaska.

Mr. WICKERSHAM. I think the gentleman does not know the people of Alaska as well as I do.

Mr. MANN. Oh, the people of Alaska are not very different from the rest of the people of the United States.

Mr. WICKERSHAM. That is probably true.

Mr. MANN. I do not think they are angels, and I do not think they are devils.

Mr. WILLIS. Will the gentleman yield to a question?

Mr. MANN. I have not the floor, but I will answer the gentleman.

Mr. WILLIS. Would it meet the objection of the gentleman to add in line 9, page 23, the words "or game laws"?

Mr. MANN. That would meet the objection.

Mr. RAKER. Will the gentleman from Alaska yield for a question?

Mr. WICKERSHAM. Yes.

Mr. RAKER. The gentleman's answer to the gentleman from Illinois might be misinterpreted. The gentleman from Alaska said there had been no convictions of citizens of Alaska for violations of the game laws. Now, I would take that to mean that there had been no necessity for prosecutions.

Mr. WICKERSHAM. That is true; and I know of but one prosecution, though there may have been more.

Mr. RAKER. The statement should not be construed to mean that, although there had been many arrests and many violations of the law, it had been impossible to secure convictions; but, on the contrary, the gentleman means to convey the idea that the people of Alaska have been trying to obey the laws, and that there has been no necessity to arrest them, and therefore there have been no convictions.

Mr. WICKERSHAM. The people of Alaska have been trying to obey the laws, and there have been few arrests, although the Government of the United States has game wardens all over the Territory.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNELL. Mr. Chairman, it would seem unnecessary for any Member to plead with this House in behalf of self-government in any place under the American flag. Indeed, I will not plead, but I feel that I express not only my own sentiment, but the sentiment of every American in this House or out of it, when I demand that the people of Alaska be given the right to govern themselves under a measure of local government readily and promptly passed by this Congress.

That there are conditions in Alaska which cry out for relief there is no longer doubt, and this in spite of all that the Government has done there. Indeed, it can be claimed that even Russia has shown more concern for her subjects in desolate Siberia than our Government has shown for the people of Alaska.

The first of all problems in any land is that of humanity, and it is to the conditions of humanity in Alaska that I would call the attention of the House, because we believe that the unhappy situation complained of can best be reached and remedied under the legislation proposed in this bill. In this connection, Mr. Chairman, I desire to incorporate in my remarks part of an editorial printed in the Seattle Post-Intelligencer, April 18, 1911, as follows:

[Seattle Post-Intelligencer, Apr. 18, 1911.]

ALASKA AND CANADA.

While the talk of the possible annexation of Alaska by Canada is too absurd for serious consideration at this time, the fact remains that all who are interested in Alaska are compelled to realize that the Alaskans themselves would be far better off under such an administration as Canada would give them, and that the Territory would develop infinitely faster than it can by any possibility if the policies which have been in force for the last few years continue unbroken.

The trouble with Alaska is twofold. It is dependent upon the National Congress for every particle of its legislation, and Congress has such an infinite amount of national work to perform that it has no time to spare to consider the local affairs of a remote Territory, about which the average Member of Congress knows nothing. Further and even more injurious to the interests of the Territory, the one thing which of all others has operated to arrest its development, discourage investment, and drive out of the country those who have gone there in the hope of getting an opportunity to develop the country, is that the faddists have been given a free hand and the Territory has been tied up in every conceivable way to meet the demands of a "conservation" the only object of which seems to be to prevent the present utilization of any of the natural resources of the great Territory.

If the situation could be approached with any sort of common sense; if Alaska could be accorded now precisely the same treatment as that accorded other Territories in the past, and that was none too good, Alaska would develop as other Territories developed; it would receive a great influx of population; its resources would be opened, and it would be among the greatest wealth producers of this continent.

Everyone in Alaska knows that if it were under Canadian rule it would have local self-government at once, and that every encouragement would be lent to the development of the country and the utilization of its resources. Everyone who has looked into the situation at all knows further that the wrongs of the Thirteen Original Colonies, which led to the Revolutionary War, were petty, indeed, beside the wrongs of the people of Alaska, but, save on this coast, no one in the whole country seems to consider that this amounts to anything.

I quote this expression from a reliable American newspaper as reflecting the state of mind of people in an American Territory as well as that of students of Alaska in the States.

And so directly does still another editorial in the same newspaper, April 13, 1911, bear upon the question now before the House that I shall incorporate it in my remarks, as follows:

[The Seattle Post-Intelligencer, Apr. 13, 1911.]

TWO NORTHERN TERRITORIES.

A member of the Yukon council while in Skagway the other day, in speaking about the absence of any system of home rule in Alaska, as contrasted with that which is accorded the Canadian Yukon, gave some pertinent illustrations. He pointed out that, so long as the Canadian territory was governed exclusively from Ottawa by federal officials, conditions were unsatisfactory in every way. The administration given was both expensive and dishonest.

For some years past Yukon territory has had a wholly elective council, which has entire control over all local affairs, and there has never been a time in the history of the territory when conditions were as entirely satisfactory as they are now. Alaska, in this respect, stands where the Yukon territory of Canada did 10 years ago.

In all of the talk about the impossibility of giving Alaska a local government, why is it that no attention is paid to Yukon territory and the Canadian method of dealing with the same problem? The Yukon territory is very much smaller than Alaska, and it has nothing like as large a number of people. In the whole territory there is practically but one industry—that of gold mining—while Alaska exports other products annually of but little less value than its gold. The British Yukon has no coast line. It is isolated far in the interior, and it is difficult to reach any portion of it in the wintertime.

Yet the Canadian Yukon has complete self-government, and full representation in the Dominion Parliament as well. Can it be argued that the Canadians are more capable of self-government that the people of Alaska? Is a gold-mining population on one side of an imaginary line more nomadic than on the other?

The simple truth is that the Canadian Government has treated its people in the North far better than has the Government of the United States and with far more actual respect for the principles upon which our Government is founded than has ever been displayed by Congress.

And now let me add the demand of a Democratic convention held at Fairbanks November 27, 1910. I quote:

[Fairbanks Citizen, Nov. 27, 1910.]

TANANA DEMOCRATS WANT FULL TERRITORIAL GOVERNMENT.

At a meeting of the prominent Democrats of Fairbanks plans were laid for an aggressive campaign for full Territorial government for Alaska.

Resolutions were adopted and a petition is being circulated for signatures, which will be forwarded to the Democratic Members of Congress. The Democrats expressed the belief that the hated Beveridge bill, even though revised, would not be given serious attention by Congress at its next session.

Following are the resolutions:

"Whereas it has been deemed expedient for several years by the vast majority of the American citizens residing in Alaska that the interests of Alaska can be more effectually conserved under a full form of Territorial government, with the lawmaking power vested in a local legislature; and

"Whereas, although this desire of the people of Alaska has frequently, through the duly elected Delegate and other sources, been made known to the Government of the United States at Washington, no action has been taken by any Republican administration looking toward the granting of such form of government, the contrary being the case, as expressed in the un-American form of government outlined in the Beveridge bill; and

"Whereas the Democratic Party, at its annual convention held in the city of Denver in July, 1908, embodied as a plank in its platform the recommendation that Alaska be granted the government its people desired, the paragraph relating thereto being as follows:

"'We demand for the people of Alaska and Porto Rico the full enjoyment of the rights and privileges of a Territorial form of government, and the officials appointed to administer the government of all our Territories and the District of Columbia should be thoroughly qualified by previous bona fide residence;' and

"Whereas the people of Alaska have faith in the Democratic Party and its promises and feel assured that its platform will be adhered to: Now, therefore be it

"*Resolved*, That we, the undersigned citizens of Alaska, hereby appeal to our Democratic Senators and Representatives to bring about the enactment of a law which will grant to Alaska 'the fullest enjoyment of the rights and privileges of a Territorial form of government in accordance with the platform adopted at Denver and the wishes of the people of Alaska.'"

While Gov. Walter E. Clark, of Alaska, seems less enthusiastic than others for a local government in that Territory, I desire to quote from the hearing on conditions in Alaska held by the Committee on the Territories February 6, 1912. I quote from page 22 of the report of the hearing in question, where Gov. Clark is quoted thus:

But to return to matters mentioned in my report, after leaving these great questions of coal and fuel and transportation, I want to urge some of the minor needs of the Territory. They are only relatively less important than these other things, and are in themselves absolutely important. I have grouped a number of them there [in his annual report] under the head of "Six minor laws." If I remember correctly, they are quarantine, sanitation and public health, registration of vital statistics, supervision of banks, compulsory school attendance, and relief of destitute white persons.

Now, those are provisions that are entirely lacking in Alaska, which I suppose are afforded to every other part of the civilized world, not only every part under American jurisdiction, but everywhere in the world where civilized people live. We don't have these facilities. If we had a local legislative body—whatever kind of legislative body it might be—some of these things could be supplied; a great many of the more important things could not be, because the Territorial legislature would never have the power to pass that sort of laws.

Mr. YOUNG. Do you attribute the lack of those laws to the neglect of Congress to take hold of this matter?

Gov. CLARK. The neglect of several Congresses. I have the greatest respect for Congress, and don't want to criticize any particular one, but several Congresses have borne the responsibilities pertaining to Alaska, and all of them have neglected these things; and, of course, they are becoming more pressing as the Territory develops.

Mr. Chairman, behind all these political considerations lie the conditions which can be best reached, as I believe, by a local government. Important, indeed, are quarantine, sanitation, vigilant protection of the public health, school attendance, and the keeping of vital statistics. That these necessary duties have been unperformed in Alaska is proved by the fact that that country and its people are suffering from negligence in these necessary services.

I wish every Member of this House, and indeed every citizen of this country, would read the testimony of Bishop Peter T. Rowe, of the Episcopal Church, who is devoting his life to the work of relief for the sufferers in Alaska, whose testimony was given at the hearings before the Committee on the Territories January 16, 1912. Bishop Rowe told of the hardships endured by certain human beings, Indians and others, in Alaska, and of his efforts to raise funds for the establishment of hospitals in which to do the work of common civilization, as against leaving God's afflicted creatures to die from loathsome disease, neglect, and abject poverty. Remembering that such conditions are appealing for alleviation under the Stars and Stripes, I can not imagine this House hesitating for a moment to extend help.

I shall not go into the details of the bishop's testimony; they are too awful, but I will add the following from page 7 of the hearing before the Committee on the Territories on January 16, 1912:

Mr. MARTIN. To what do you attribute the diseased condition of the tribes which you state are in that condition? Is it due to association with the white men?

Bishop ROWE. In part. I think they have inherited it largely from the former conditions prevailing. It probably started under the influence of the Russians, has continually spread, and now it is largely enhanced, and all that, through the perfect ability of the Indians to get liquor.

The CHAIRMAN. You say their perfect ability to get it?

Bishop ROWE. Yes; in spite of the law.

Mr. CONNELL. That is the point I had in mind about local government. Could not that be stopped more effectively if you had it under control of the local government?

Bishop ROWE. I think so.

Mr. Chairman, give Alaska this measure of local government. I can not conceive of an agency better calculated to interest all the people of Alaska in their Territory than local government. Give the people there a government of their own, within Federal possiblities in a Territory, and you will do a nation's duty toward one of its integral parts.

I can readily see how a local government, representing the will as well as the patriotism of the people, shall become its most vigilant watcher, lest the Territory be exploited and, above all, lest the human being whose lot is cast there shall suffer neglect, to the shame of a Christian nation.

Mr. Chairman, I shall not discuss the details of the bill, these having been so well presented, both in the bill itself and during this debate. I shall vote for the passage of the measure, and earnestly plead with the House to pass the bill as it is.

Mr. DAVENPORT. Mr. Chairman, if this bill becomes a law, the Territory of Alaska will become fully organized as a Territory and will have all the branches of a government necessary to make a complete Territorial organization—the legislative, the executive, and the judicial. Alaska up to this time has had no Territorial legislature, but has had a governor appointed by the President of the United States and a judicial tribunal established, but has had no legislature to pass local laws.

Upon an examination we find that Alaska was acquired from Russia by the treaty of March 30, 1867; that the United States paid as a consideration $7,200,000. As early as 1868 certain laws relating to customs, commerce, and navigation were extended over Alaska, but it was several years before any local government was established. In March, 1884, Congress passed an act providing for a civil government for Alaska, which act provided for a governor and the establishment of a United States court of general jurisdiction. From time to time Congress passed acts extending certain laws of the United States over Alaska, placing in force in Alaska a commercial and civil code.

Alaska has 590,884 square miles—almost one-fifth as large as the United States. The population of Alaska, according to the census of 1910, was 64,356. The Territory of Alaska was larger than many of the Territories when organized. The Territory of Alaska when organized had a larger population in 1910 than 14 of the Territories had when they were given an elective legislature and a larger population than 9 of the States had when they were organized and given full power as a State.

In 1890 the State of Wyoming only had a population of 60,705. It is true that in Alaska the population is scattered over a large area of country, the Territory being so large, but it has been shown that the population has been classified by judicial divisions and has been gradually increasing, as shown by the census reports since 1890.

The United States receives the benefit of the entire trade with Alaska, and the trade with Alaska is worth more than it is with many countries. In 1909 there was shipped from the United States to the different divisions of Alaska different commodities amounting to $18,923,887. In the same year, 1909, the custom reports show that the total trade with Alaska was $50,724,986. This trade, it seems to me, not only shows permanence in trade and in population, but shows that the resources are abundant, and under proper laws and regulations they would soon be largely increased. In fact, the development of Alaska is in its infancy, and no one at this time can fix a limit as to the future value or increase of the trade with Alaska.

The trade with Alaska is large and especially valuable to the United States, as every dollar of the trade that comes into the United States from Alaska is practically an American dollar, and every dollar that has gone or will go into Alaska is money that is spent by American capital.

It is clear to me and it seemed clear to the members of the committee when this bill was being considered by our committee that Alaska and her people needed a legislative body created from their own citizens with limited powers to pass laws

for their own local self-government; that it would be an inducement for capital to invest and hasten the building of railroads and other public utilities in the Territory and would in a general way assist in the rapid development of the abundant resources of this great country. The most important thing to-day that Alaska needs is a home government, the right of her citizens to make laws to govern themselves, a right that all Americans enjoy and have a right to expect. The people in Alaska want Territorial government in the fullest sense. They demand the same rights that the citizens of other unorganized Territories have heretofore demanded; that is, a right to make laws, levy and collect taxes and expend the taxes for the improvement and upbuilding of public schools, public buildings, charitable institutions, municipal affairs, and for the other improvements incident to a well-organized and established government. With the increase in population in Alaska and with her unlimited resources only partly developed, why should the people of that Territory be denied the right of self-government? All must agree who have had any experience that the worst form of government a civilized people under any republican form of government can have is a bureaucratic government administered at long range, and too often by inexperienced, if not to say incompetent, men. The best way to develop a country and to build up amongst its people good citizenship is to give that people the right of local self-government and the right to make their own laws for the future development of their country.

When the people realize that they have assumed the responsibility of their own Government and that they must depend for their future advancement upon the laws made by their own citizens, you find a better class of laws and a better organized and controlled government.

Both political parties have heretofore expressed the desire to give to Alaska an organized government complete in all respects, and the time has now come when we should show our faith by our work and pass this bill. Alaska needs the legislative power to assist in developing her country, and there has already been established in its progressive towns and cities daily and weekly newspapers and other modern means of bringing the attention of the public to the magnitude of Alaska's resources and development and of her claim to a right among the States and Territories of the United States. Next to a local self-government Alaska needs more capital invested in her territory in the construction of railroads and other public utilities for transportation purposes, so that her great wealth of minerals may be placed on the market.

If you will give to Alaska a local self-government so that it may regulate its own internal affairs, it will be but a short while until there will be developed many sections of Alaska where no one at this time lives and will be populated by a class of good citizens. Under the regulation of her own laws the resources of Alaska will soon be developed and protected, and the revenues collected will be ample to maintain the Territorial government and to pay its obligations.

Alaska to-day has as great a right to Territorial government as many of the other Territories, now States, when they were organized as a Territory. I am in favor of the expenditure of the money collected for taxes in Alaska for Alaska and Alaska's citizens and stop the Federal tax gatherer in that Territory and give to Alaska her taxes, collected by officers elected by Alaska; spend them by authority of Alaskan laws passed by a legislature of Alaskan citizens elected by the legal voters of Alaska, and you will then have given to Alaskan citizens their just rights, for which they have been petitioning for many years.

I sincerely hope that Alaskans may get their just rights by unanimous vote of the House by passing this bill.

Mr. MANN. Mr. Chairman, in an article read before the American Mining Congress last fall, a distinguished gentleman from Alaska, Mr. Baldwin, of Valdez, among other things referred to a memorial presented to the Secretary of the Interior by the citizens of that town. In that memorial this statement is made, which I think largely represents the sentiment of the people of Alaska:

> Primarily, Alaska demands and needs the same right of untrammeled development that has been accorded to every other Territory of the United States pioneered by Americans. Alaskans ask that American citizens and all other industrious men be permitted to create property for themselves out of the limitless resources of this vast Territory, unhampered by bureaucratic dictation and interference. The people of Alaska are a unit in opposition to Federal landlordism over its mines, forests, and water power.

And much more of the same kind. The gentleman also stated:

> We will be satisfied with no makeshift, no halfway measure; it is our right as Americans, and it is rights we demand, and not permits and privileges that we sue for.

This bill does not quite meet the demand. How far it goes no one knows. What the people of Alaska really want is not merely a legislature, which is a sort of a toy, but the exercise of legislation which will permit the development of the natural resources of that country.

I have hoped for some years, but up to date hoped in vain, that some one would solve the problem of the conservation and the use of the natural resources of Alaska, and that we might have passed, before this, a bill concerning, not merely the land and the coal and the water power, but the other natural resources of Alaska.

The Committee on the Public Lands has jurisdiction of the lands of Alaska. They have not reported any bill, and I do not know whether they intend to. I do not know whether the intention of this bill is to confer upon the Territorial legislature control over the water power of Alaska or not. Can the gentleman say?

Mr. WICKERSHAM. I think not. It is a part of the public domain.

Mr. MANN. I find nothing in the bill about the public domain except the primary disposition of the soil.

Mr. WICKERSHAM. The water power is a part of the soil. You can not dispose of the water power without disposing of the soil.

Mr. MANN. No; but you can pass laws regulating the water power without disposing of the soil. The bill provides that the legislature of Alaska may alter, amend, modify, or repeal the laws now in force in Alaska, except the customs laws, the internal-revenue laws, the postal laws, or other general laws of the United States. A large share of the laws that relate to everything in Alaska are special laws and not general laws.

Mr. WICKERSHAM. The gentleman is mistaken.

Mr. MANN. I beg the gentleman's pardon, but I am not mistaken. We have repeatedly passed laws that are in force only in Alaska. Most of the general laws regulating land in the United States are not in force in Alaska. We have special laws for them, and they might not be effective; I do not know whether they would be effective or not. I do not know whether the mining laws would be effective—I do not know whether anybody else knows—under the provisions of this bill.

I do not object to the passage of the bill, although it is perfectly plain that it either will not accomplish what the people of Alaska want it to accomplish, or else it will go away beyond what Congress intends to confer upon Alaska.

I have no objection to the people of Alaska controlling themselves in the ordinary police control. That is local; but the resources of Alaska do not belong to the people who now happen to be there, most of whom are not there for their natural lives, most of whom do not intend to remain there any longer than is necessary to accumulate a little and then come back to the States. In the control of the police matters it may be fair to give them power, although everyone knows that if they were given unrestricted powers over police matters it would not be to their interest. This bill recognizes that fact by proposing to take away from them, or by not conferring upon them, the power over gambling and lotteries and things of that sort. The bill when enacted into law, and the legislature when it meets, will be a disappointment both to the people of Alaska and the Congress. It does not meet the problems which ought to be met in relation to Alaska.

Think of it. With great coal fields there, they ship coal in from outside. We have not attempted by legislation, so far, to properly meet those questions. I am not criticizing anyone, because it is a great problem, which possibly no one yet has solved. We ought to sit down seriously and solve it. Does the gentleman from Alaska [Mr. WICKERSHAM] or anyone else think that we are more likely to develop the railroads in Alaska, which is a very important matter, after giving to a legislature authority over the matter? We give a legislature to Alaska, but provide in the bill that no municipal corporation may issue bonds. It can not make any improvements. The Territory can make no improvements, and having given the authority to a legislature, Congress is much less likely to make the improvements. Which would the people of Alaska prefer, to have a legislature for a toy or to have the real development which may come with a transfer of a part of the implements now upon the Panama Canal to Alaska to help develop that Territory? You may say they will get both. The chances are they will not. The two do not go together. When we give to the local legislature authority over these matters we do not pay much more attention to them. A provision in the bill, which has been frequently referred to, provides that Congress reserves the right to set aside any law that is passed. That right was reserved in connection with New Mexico and Arizona and possibly various other Territories. I have been here 15 years. I remember only one time when we set aside a law

passed by the legislature of one of those Territories. It was a law that did not amount to anything, did not affect anybody, which was rushed through both Houses of Congress as though it was the most important thing in the world. It was of absolutely no importance except locally as to the location of a country or its boundaries. I think that is the only case where Congress has done anything of the sort, not because they have to approve the law, but because, having given the responsibility to the people there, they let the people exercise the responsibility, often at their own expense and to their disadvantage.

The CHAIRMAN. The Clerk will read.

Mr. MANN. Mr. Chairman, I suggest to the gentleman from Virginia that he ask unanimous consent to dispense with the reading of the original bill, and that the substitute may be read with the right to amend the same as though it was the original bill.

Mr. FLOOD of Virginia. Mr. Chairman, I make that request. I ask unanimous consent that the reading of the original bill be dispensed with, and that the substitute be read.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the reading of the original bill be dispensed with, and that the substitute be read in lieu thereof.

Mr. MANN. As though it were the original bill, with the same right of amendment.

Mr. FLOOD of Virginia. Yes.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Alaska Territory organized.—That the territory ceded to the United States by Russia by the treaty of March 30, 1867, and known as Alaska, shall be and constitute the Territory of Alaska under the laws of the United States, the government of which shall be organized and administered as provided by said laws.

[Mr. KINDRED addressed the committee. See Appendix.]

The Clerk read as follows:

SEC. 3. Constitution and laws of United States extended.—That the Constitution of the United States, and all the laws thereof which are not locally inapplicable, shall have the same force and effect within the said Territory as elsewhere in the United States; that all the laws of the United States heretofore passed establishing the executive and judicial departments in Alaska shall continue in full force and effect until amended or repealed by act of Congress; that except as herein provided all laws now in force in Alaska shall continue in full force and effect until altered, amended, or repealed by Congress or by the legislature: *Provided*, That the authority herein granted to the legislature to alter, amend, modify, and repeal laws in force in Alaska shall not extend to the customs, internal-revenue, postal, or other general laws of the United States. And the legislature shall pass no law depriving the judges and officers of the district court of Alaska of any authority, jurisdiction, or function exercised by like judges or officers of district courts of the United States.

Mr. WILLIS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Line 9, page 23, after the word "States," insert the words "or to the game laws of the United States applicable to Alaska."

Mr. MANN. Why not make it game and fish laws?

Mr. WICKERSHAM. Mr. Chairman, I think the fish laws ought to be left alone.

Mr. MANN. Why not make it game and fish laws, so that they can not repeal the fish laws? They can pass new fish laws.

Mr. WILLIS. Mr. Chairman, I will accept that amendment, and ask unanimous consent that it be so modified and reported as modified.

The CHAIRMAN. Without objection, the amendment will be so modified, and the Clerk will report the amendment as modified.

The Clerk read as follows:

Line 9, page 23, after the word "States," insert the words "or to the game and fish laws of the United States applicable to Alaska."

Mr. WICKERSHAM. Mr. Chairman, I do not think that the word "fish" ought to be in there. I think the fisheries in Alaska need protection. They belong to the people of the State or to the Territory, and they do not belong to the Government of the United States. They are not now being protected. They are not being conserved, and if this legislature will do something toward conserving and protecting the fish it ought to be allowed to do it. This simply bars the legislature from protecting the fisheries in that Territory, and it ought not to be in the bill.

Mr. MANN. The gentleman will notice this provision does not apply to passing laws, but only to the repealing of laws.

Mr. WILLIS. It seems to me the observation of the gentleman from Illinois answers the objection of the gentleman from Alaska. It simply provides, if it shall be adopted, that the legislature of the Territory of Alaska shall not have the power to alter, amend, or repeal the United States fish or game laws now in force in the Territory. It does not take away from the legislature the power to pass additional laws of that character. It seems to me that meets the objection.

Mr. WICKERSHAM. I think they ought to be allowed to amend them.

Mr. WILLIS. We have a Federal fish law in Alaska. The gentleman is not objecting to that.

Mr. WICKERSHAM. No.

Mr. WILLIS. That is all this amendment provides—that the legislature shall not have the power to amend the present fish or game laws.

Mr. WICKERSHAM. What does that mean?

Mr. WILLIS. It means that the present law shall stand.

Mr. FLOOD of Virginia. Suppose Congress passes a law revising and extending the fish laws there?

Mr. WILLIS. Well, undoubtedly that will be the paramount law of Alaska.

Mr. FLOOD of Virginia. What will be the effect of the gentleman's amendment?

Mr. WILLIS. The effect of this amendment will be, as I understand it, simply to take away from the legislature of Alaska the power to amend the fish or game laws now in effect in Alaska.

Mr. FLOOD of Virginia. It would not have the effect to take away from the legislature of Alaska the power to amend the fish laws we hereafter pass.

Mr. WILLIS. No; I do not think it would, as I have worded it, although I did not have that in mind when I drafted the amendment.

Mr. MANN. They would not have that power.

Mr. WILLIS. They would not have that power now.

Mr. FLOOD of Virginia. The gentleman is aware of the fact there is a proposition to revise the fish laws?

Mr. WILLIS. Yes; I think the bill is a good one and ought to pass.

Mr. FLOOD of Virginia. And will in all probability become the law.

Mr. WILLIS. It seems to me this meets the objection that has been raised in a perfectly fair manner, and I think it is a fair objection, but I do not believe the legislature ought to repeal the present game or fish laws.

Mr. MANN. We have endeavored to provide in a way for the conservation of the fisheries and game up there. We ought not to permit those laws to be repealed, but if they want to make them more stringent, and probably do, they ought to have that right.

Mr. FLOOD of Virginia. I do not think the amendment means anything, but if it will please anybody to put it in, why, let it go.

Mr. WICKERSHAM. I withdraw my objection.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 4. The legislature.—That the legislative power and authority of said Territory shall be vested in a legislature, which shall consist of a council and a house of representatives. The council shall consist of eight members, two from each of the four judicial divisions into which Alaska is now divided by act of Congress, each of whom shall have at the time of his election the qualifications of an elector in Alaska, and shall have been a resident and an inhabitant in the division from which he is elected for at least two years prior to the date of his election. The term of office of each member of the council shall be four years: *Provided*, That immediately after they shall be assembled in consequence of the first election they shall, by lot or drawing, be divided in each division into two classes; the seats of the members of the first class shall be vacated at the end of two years and the seats of the members of the second class shall be vacated at the end of four years, so that one member of the council shall, after the first election, be elected biennially at the regular election from each division. The house of representatives shall consist of 16 members, 4 from each of the 4 judicial divisions into which Alaska is now divided by act of Congress. The term of office of each representative shall be for two years; and each person shall possess the same qualifications as prescribed for members of council. The persons having the highest number of legal votes in each of said council districts for members of the council shall be declared elected, and the persons having the highest number of legal votes for the house of representatives shall be declared elected: *Provided*, That in case two or more persons voted for have an equal number of votes, and in case a vacancy otherwise occurs in either branch of the legislature the governor shall order a new election. That each member of the legislative assembly shall be paid by the United States the sum of $15 per day for each day's attendance while the legislative assembly is in session, and mileage, in addition, at the rate of 15 cents per mile for each mile from his home to the capital and return by the nearest traveled route, and no more.

Mr. BUTLER. Mr. Chairman, I move to strike out the last word. May I ask the gentleman from Virginia—I want to confess my stupidity here and I would like to ask the gentleman to relieve it. Why does the United States Government pay these members of the legislature?

Mr. FLOOD of Virginia. Well, it has been the custom in every Territory that we have had for the United States Government to pay the salaries of the members of the legislature.

Mr. BUTLER. I am not criticizing the custom, but I am endeavoring to learn. I understand that has been the practice in all the Territorial organizations we have made.

Mr. FLOOD of Virginia. Yes; in all the Territorial legislatures.

Mr. BUTLER. To pay the members of the legislature out of the Treasury, and that is upon the theory——

Mr. WICKERSHAM. That it is an aid to this Congress in governing the Territory.

Mr. BUTLER. And this is no variation from the rule that has always been practiced?

Mr. FLOOD of Virginia. The United States Government paid the per diem of the members of the Territorial legislatures of Arizona and New Mexico up to the very day that they became States, and every other Territory. Mr. Chairman, the word "council" as it appears in this section ought to be "senate," and I move where the word "council" appears in that section that the word "senate" be substituted in its place.

Mr. MANN. I suggest to the gentleman he make the motion as to one place, and if it carries, ask unanimous consent that wherever the word "council" appears in the bill it be changed to the word "senate."

Mr. FLOOD of Virginia. If that pleases the gentleman better.

Mr. MANN. It runs all through the bill.

Mr. FLOOD of Virginia. I do not understand that it does.

Mr. MANN. Yes; and the former bill in some places had the word "council" and in some places had the word "senate."

Mr. FLOOD of Virginia. Mr. Chairman, I move that, on page 23, line 15, section 4, the word "council" be stricken out and the word "senate" be substituted therefor.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 15, strike out the word "council" and insert the word "senate" in lieu thereof.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. FLOOD of Virginia. Now, I ask unanimous consent, Mr. Chairman, that wherever the word "council" occurs in the bill that the word "senate" be substituted in its place.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that wherever the word "council" appears in the bill that the word "senate" shall be substituted in its stead. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER. I understand those who will be qualified to vote under the provisions of the bill are those who are now qualified to vote for Delegate to this Congress?

Mr. FLOOD of Virginia. Exactly.

Mr. BUTLER. And that qualification is provided by an act of Congress?

Mr. FLOOD of Virginia. Yes.

Mr. WICKERSHAM. That is true.

Mr. MANN. Mr. Chairman, on page 24, line 21, I move to strike out the word "fifteen" and insert in lieu thereof the word "ten."

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 24, line 21, strike out the word "fifteen" and insert the word "ten" in lieu thereof.

Mr. MANN. Mr. Chairman, I can see no reason for paying $15 a day to a member of the Territorial legislature. Ten dollars is twice as much as has ever been paid to any member of any other Territorial legislature in the United States, I guess. And they are paid traveling expenses and per diem in addition to this amount. Why should we fix such an exorbitant amount?

Mr. FLOOD of Virginia. Mr. Chairman, when I first saw that this bill provided a per diem of $15 for members of the legislature it impressed me just as it has impressed the gentleman from Illinois [Mr. MANN], but upon investigation of conditions in Alaska I learned that everything there is double the price that it is in the Territories that we have had in this country and what it is in the States. Living is very high and everything is expensive. Labor is very high. A laborer will get $7 or $8 a day, and a legislator ought to be worth as much as a placer miner.

Mr. BUTLER. As two laborers.

Mr. FLOOD of Virginia. He ought to be worth as much as one laborer. The laborers get $7 or $8 a day and their board. When the legislators will have paid their board, and at the rate it is at Juneau, they will not have much left.

Mr. BUTLER. Did not the gentleman ascertain in the hearing the price of board in Juneau?

Mr. FLOOD of Virginia. I heard it was very high.

Mr. BUTLER. Did you learn the figures?

Mr. FLOOD of Virginia. We did not. Something was said about the price of eggs and of other articles to eat, but I do not remember any testimony as to the cost of board per month.

Mr. MANN. We have heard a good deal from the gentleman about the agricultural resources of Alaska. Let them be developed.

Mr. FLOOD of Virginia. You have not developed them. You have put a reservation all over the agricultural land in Alaska, and it is not developed and can not be developed until this policy is changed.

Mr. MANN. There is plenty of land that can be developed there. Five dollars a day is the usual price, and I think in some places the legislators have been paid less than that. Here is a proposition to pay $15 a day—the highest that has ever been paid, I think, and during the winter months when these gentlemen are not busy.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. FLOOD of Virginia. The bill provides the legislature shall be in session for 60 days every two years. There are 24 members, and gentlemen of this committee can see what a small amount is involved. The evidence before our committee was that $15 a day would not be more than is paid to the miners up in that country.

Mr. BUTLER. Sixty days in two years?

Mr. FLOOD of Virginia. Yes.

Mr. BUTLER. They can not stay longer than 60 days?

Mr. FLOOD of Virginia. No. Fifteen dollars a day in Alaska is not as much as $5 a day in Illinois. At $15 a day the Alaskan legislator will get $900 in two years; in the gentleman's State they get $1,000 a year. In some States the legislators get quite a good salary; in my State they do not get very much; but $15 a day in Alaska will be small pay, and I hope the House will not change this.

Mr. MANN. This will remain some time after it becomes a law. I think $15 a day is exceedingly high now. If these gentlemen are going to get the benefit from this law that they say they are going to get, there will be an influx of people up there and rates will not be so high.

Mr. WHITE and Mr. KINKAID of Nebraska rose.

Mr. WHITE. Mr. Chairman——

Mr. KINKAID of Nebraska. Mr. Chairman, will the gentleman from Illinois yield?

Mr. MANN. My time has expired, but I will answer a question of the gentleman.

Mr. KINKAID of Nebraska. Or the gentleman from Alaska?

Mr. WHITE. I wanted to ask the gentleman from Virginia [Mr. FLOOD] if it is not a fact that living is not so much higher along the coast, where Juneau is, than on the western coast of the United States?

Mr. FLOOD of Virginia. That was not the information that our committee had.

Mr. WHITE. I am quite sure that it is a fact that it is a very small percentage more, but it increases very largely as you get into the interior. However, in regard to the question of the gentleman from Illinois, after having spent some time in Alaska, I would say that $15 is not too large a sum to give these members of the legislature. The fact is, Mr. Chairman, that some good price must be given to them, not that they lack in loyalty to the country, but because of the conditions up there. I suspect that if a stampede somewhere in that country were inaugurated about the time of the meeting of the legislature, it would take a good big price to hold them to the capital.

Mr. KINKAID of Nebraska. Mr. Chairman, I wish to inquire of the Delegate from Alaska whether the per diem covers the mileage, or whether the mileage is provided for separately?

Mr. WICKERSHAM. Mileage is provided for separately.

If the House will let me have a word on this matter, I will say it is true that $15 a day seems a good deal to gentlemen down here who are receiving $25 a day for performing no better service and the same kind of service that these men would perform in the Territory.

If they can not earn $15 a day in the same kind of work in the Territory of Alaska they would be very poor members of the legislative body. They have only 60 days' service in two years, and that is only $900 each, and they have got to cross that country four or five hundred miles to get to the capital. That will be 15 cents a mile, but it would not pay the bill; and no man can go to the legislature and not be compelled to spend twice the sum he will get out of this mileage proposed. It is

not excessive. In fact, it is not half enough. It is a very small sum when you consider that they have only 60 days of service and that it may take them 10 or 15 or 20 days to come and go.

Mr. MANN. For which they receive 30 cents a mile.

Mr. WICKERSHAM. And for which you in Illinois pay $1,000 per annum.

Mr. MANN. We do not pay it out of the General Treasury.

Mr. WICKERSHAM. No; but the Federal Treasury should be as generous as the State of Illinois.

Mr. COOPER. I may say that it also appeared by the recent investigation into the affairs of the State Legislature of Illinois that a large percentage of the members of that legislature did not pay anything for mileage at all. They traveled on passes all the time.

Mr. MANN. They do not get 15 cents a mile.

Mr. WICKERSHAM. The legislature in Alaska will cost only $24,000 in two years.

Mr. MANN. That is true; but I may say to the gentleman that I have wards in my district that contain twice the population of all Alaska—wards merely—and we would consider it grossly extravagant to pay at that rate.

Mr. WICKERSHAM. I have no doubt it would be, in that place.

Mr. MANN. The gentleman makes his figures on the basis of what Members of Congress receive. One reason why we pay ourselves reasonable salaries is to keep down other expenses. When we do not do it we do not earn our salaries. Of course this may be the last Territorial legislature that will be organized for some time, but there can be absolutely no excuse for gross extravagance in the organization of the Territory up there. Ten dollars a day and how much mileage? Because the mileage will be a considerable sum for the long distances.

Mr. WICKERSHAM. Fifteen cents a mile.

Mr. MANN. Fifteen cents a mile, each way.

Mr. WICKERSHAM. The total mileage for all the members for the two years will amount to $5,994.

Mr. MANN. What is the farthest distance any one of them has to travel?

Mr. WICKERSHAM. The farthest distance is 2,000 miles, from Nome.

Mr. MANN. Six hundred dollars—a pretty high rate.

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 11, noes 27.

Accordingly the amendment was rejected.

The Clerk read as follows:

SEC. 5. Election of members of the legislature.—That the first election for members of the Legislature of Alaska shall be held on the Tuesday next after the first Monday in November, 1912, and all subsequent elections for the election of such members shall be held on the Tuesday next after the first Monday in November biennially thereafter; that the qualifications of electors, the regulations governing the creation of voting precincts, the appointment and qualifications of election officers, the supervision of elections, the giving of notices thereof, the forms of ballots, the register of votes, the challenging of voters, and the returns and the canvass of the returns of the result of all such elections for members of the legislature shall be the same as those prescribed in the act of Congress entitled "An act providing for the election of a Delegate to the House of Representatives from the Territory of Alaska," approved May 7, 1906, and all the provisions of said act which are applicable are extended to said elections for members of the legislature, and shall govern the same, and the canvassing board created by said act shall canvass the returns of such elections and issue certificates of election to each member elected to the said legislature; and all the penal provisions contained in section 15 of the said act shall apply to elections for members of the legislature as fully as they now apply to elections for Delegate from Alaska to the House of Representatives.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 26, line 2, by inserting after the word "Representatives" the following: "*Provided, however,* That section 3 of said act, entitled 'An act providing for the election of a Delegate to the House of Representatives from the Territory of Alaska,' approved May 7, 1906, is hereby amended so as to read as follows:

"'SEC. 3. That all citizens of the United States, 21 years of age and over, who are actual and bona fide residents of Alaska, and who have been such residents continuously during the entire year immediately preceding the election, and who have been such residents continuously for 30 days next preceding the election in the precinct in which they vote, shall be qualified to vote for the election of a Delegate from Alaska.'"

Mr. MANN. Mr. Chairman, this amendment proposes a change in the existing election law of Alaska, to strike out, before the word "citizens," the word "male."

Mr. BUTLER. Is not this rather sudden? [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question being taken, on a division (demanded by Mr. FLOOD of Virginia) there were—ayes 26, noes 26.

Mr. MANN. I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. MANN and Mr. FLOOD of Virginia.

Mr. RODDENBERY. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

Mr. MANN. I shall not object, but one word will tell more than the reading of the amendment. The amendment changes the qualifications of electors in Alaska by striking out, before the word "citizens," the word "male."

Mr. AUSTIN. Is it to provide votes for women in Alaska?

The committee again divided, and the tellers reported—ayes 41, noes 41.

Accordingly the amendment was rejected.

Mr. MANN. Mr. Chairman, I should like to ask the gentleman from Virginia if we can not have some arrangement about a uniform date for elections in Alaska?

Mr. WICKERSHAM. Make them all in November.

Mr. FLOOD of Virginia. Has the gentleman from Illinois any amendment to offer on that?

Mr. MANN. It was proposed to change from November to August. I do not pretend to know which is the more desirable date.

Mr. FLOOD of Virginia. If the gentleman will offer an amendment to change from August to November, for the election of Delegate, the committee will accept it.

Mr. MANN. That can be inserted when we reach it at the proper place in the bill.

Mr. FLOOD of Virginia. Yes.

The Clerk read as follows:

SEC. 7. Organization of the legislature.—That when the legislature shall convene under the law, the council and house of representatives shall each organize by the election of one of their number as speaker, and by the election by each body of the subordinate officers provided for in section 1861 of the United States Revised Statutes of 1878, and each of said subordinate officers shall receive the compensation provided in that section: *Provided,* That no person shall be employed for whom salary, wages, or compensation is not provided in the estimate made by the Secretary of the Treasury and included in the appropriation made by Congress.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. RAKER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 13988. An act to authorize the Director of the Census to collect and publish additional statistics of tobacco;

H. R. 18335. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 18337. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 18954. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 19721. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors;

H. R. 18955. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5272. An act appropriating $55,000 for the protection of Valdez, Alaska, from glacial floods;

S. 3625. An act for the purchase or construction of a launch for the customs service at and in the vicinity of Los Angeles, Cal.;

S. 5606. An act to provide for repairs and improvements at the lighthouse depot and headquarters, San Juan, P. R.;

S. 4985. An act to provide for the purchase of a site and for the erection of a public building thereon at Klamath Falls, Oreg.;

S. 4128. An act for the relief of the estates of Frances M. Stuart and William H. Bush;

S. 4153. An act for the relief of the estate of Alton R. Dalrymple;

S. 4186. An act for the relief of the estates of Milton T. Carey and others;

S. 4208. An act for the relief of the estates of Edward Christie and Louis Feldman;
S. 4564. An act for the relief of the estate of Maurice T. Smith and Ella P. Williams;
S. 4661. An act for the relief of the estate of T. B. Cowan and others;
S. 4960. An act to erect a public building in the city of Vancouver, in the State of Washington;
S. 186. An act for the relief of Francis Grinstead, alias Francis M. Grinstead;
S. 5874. An act to increase the limit of cost for the erection and completion of the United States post-office building at Albany, Oreg.;
S. 5877. An act to increase the limit of cost for the erection and completion of the United States post-office building at The Dalles, Oreg.;
S. 15. An act for the relief of the North American Transportation & Trading Co.;
S. 5810. An act for the relief of the estate of Andrew Nash;
S. 6084. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;
S. 409. An act to provide for the erection of a public building in the city of Redfield, S. Dak.;
S. 5910. An act granting to the city of Portland, Oreg., certain strips of land from the post-office and customhouse sites in said city for street purposes;
S. 4113. An act for the relief of Isaac J. Reese;
S. 1484. An act for the relief of Ferdinand Tobe;
S. 6001. An act providing for gas-buoy and other aids to navigation in the channels leading to Baltimore, Md.;
S. 6096. An act to amend subchapter 2, chapter 19, of the Code of Law for the District of Columbia, by providing a penalty for omission to return library property in the District of Columbia;
S. 4850. An act to establish on the coast of the Pacific States a station for the investigation of problems connected with the marine-fishery interests of that region;
S. 239. An act to establish a fish-cultural station in the State of Alabama;
S. 90. An act to establish a fish-cultural station in the State of Colorado;
S. 142. An act to establish a fish-cultural station in the State of Idaho;
S. 263. An act to establish a fish-cultural station in the State of Minnesota;
S. 4757. An act to establish a fish-cultural station in the State of Nevada;
S. 231. An act to establish a fish-cultural station in the State of South Dakota;
S. 423. An act to establish a fish-cultural station in the State of Utah;
S. 5882. An act to extend the time for the completion of a bridge across the Missouri River at or near Yankton, S. Dak., by the Winnipeg, Yankton & Gulf Railroad Co.;
S. 5883. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak., by Yankton, Norfolk & Southern Railway Co.;
S. 1569. An act to establish a fish-cultural station in the State of North Carolina;
S. 6340. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and certain widows and dependent relatives of such soldiers and sailors;
S. 6369. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;
S. 6161. An act to authorize the Great Northern Railway Co. to construct a bridge across the Yellowstone River, in the county of Dawson, State of Montana;
S. 6167. An act to authorize the Williamson & Pond Creek Railroad Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near Williamson, Mingo County, W. Va.;
S. 6160. An act to authorize the Great Northern Railway Co. to construct a bridge across the Missouri River in the State of North Dakota;
S. 6384. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and to certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors;
S. 5776. An act authorizing the Secretary of the Interior to adjust and settle the claims of the attorney of record involving certain Indian allotments, and for other purposes;
S. 3975. An act to acquire a site for a public building at Monte Vista, Colo.;
S. 389. An act to authorize the acquisition of a site and the erection of a Federal building at Fallon, Nev.;
S. 6177. An act for the purchase of a site and erection of a Federal building at Cambridge, Md.;
S. 392. An act to authorize the acquisition of a site and the erection of a Federal building at Winnemucca, Nev.;
S. 80. An act to acquire a site for a public building at Glenwood Springs, Colo.;
S. 4862. An act authorizing and directing the Secretary of the Interior to investigate and settle certain accounts, and for other purposes;
S. 4479. An act to provide for the erection of a public building at Mount Carmel, Ill.;
S. 6095. An act to increase the limit of cost for the erection and completion of the United States post-office and courthouse building on a site already acquired and possessed at Brattleboro, Vt.;
S. 5962. An act to increase the limit of cost of the addition to the site of the Federal building at Utica, N. Y.;
S. 6252. An act to relinquish the title of the United States to certain property in the city and county of San Francisco, Cal.;
S. 998. An act for the relief of Henry G. Roetzel and Paul Chipman;
S. 2751. An act providing for the erection of a post-office building at Hastings, Mich.;
S. 1911. An act for the relief of James R. Brown;
S. 5462. An act for the relief of Mary C. Mayers; and
S. 5008. An act for the relief of the estate of Emily A. Auten and others.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 12623. An act to incorporate the American Numismatic Association;
H. R. 1647. An act to amend an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes";
H. R. 20491. An act authorizing the Secretary of the Interior to grant further extension of time within which to make proof on desert-land entries;
H. R. 8784. An act to supplement the act of June 22, 1910, entitled "An act to provide for agricultural entries on coal lands";
H. R. 18792. An act for the relief of homestead entrymen under the reclamation projects in the United States;
H. R. 20286. An act authorizing the fiscal court of Pike County, Ky., to construct a bridge across Russell Fork of Big Sandy River;
H. R. 21960. An act to authorize the Port Arthur Pleasure Pier Co. to construct a bridge across the Sabine-Neches Canal, in front of the town of Port Arthur; and
H. R. 12211. An act to amend the act of February 18, 1909 (35 Stat. L., 626), entitled "An act to create the Calaveras Big Tree National Forest, and for other purposes."

LEGISLATURE FOR ALASKA.

The committee resumed its session.

Mr. MANN. Mr. Chairman, I should like to ask in reference to the subordinate officers provided in section 1861 of the Revised Statutes, which I have before me. I notice that in section 16 there is a provision that the laws passed by the legislature shall be transmitted to the various persons certified to by the chief clerk of each house. I do not know what the practice has been in the past about Territorial legislatures, but apparently, under section 1861, the clerks can not be employed after the legislature adjourns. I do not know how you would get them to certify to the laws unless you paid them for it.

Mr. WICKERSHAM. I took these provisions out of the general act.

Mr. MANN. Out of what general act?

Mr. WICKERSHAM. Out of the general organic laws of other Territories. I think that ought to be amended to give these clerks extra compensation.

Mr. MANN. The chief clerk under this act gets $8 a day, other clerks get $5 a day. Under the statement made by the distinguished chairman of the committee of course none of them can live there on that pay, because the boarding expense is $8 to $10 a day, and common laborers get $8.50 a day.

Mr. FLOOD of Virginia. If the gentleman will offer an amendment increasing the per diem pay of these clerks we will accept it.

Mr. MANN. I am simply calling the attention of the committee to these things, and particularly whether the chief clerk can be

paid after the session ends when he is required to go over the laws and certify them.

Mr. FLOOD of Virginia. Like the clerks of many legislatures, he is the keeper of the rolls. He has a per diem, and he would perform certain functions after the legislature adjourns.

Mr. MANN. I do not know whether a chief clerk, employed for 60 days, would be willing to work 90 days for nothing because he was getting $8 a day—less than a common laborer—for the 60 days he was employed.

Mr. FLOOD of Virginia. I think we had better amend the section and give these clerks a larger per diem.

Mr. MANN. Now, I want to ask the gentleman in reference to the provision on page 27, same section. It says:

No person shall be employed for whom salary, wages, or compensation is not provided in the estimate made by the Secretary of the Treasury and included in the appropriation made by Congress.

Why should we provide that we can not appropriate for any officers connected with the Territorial legislature unless the Secretary of the Treasury sends in an estimate for it?

Mr. WICKERSHAM. If the gentleman will allow me.

Mr. MANN. Certainly.

Mr. WICKERSHAM. On page 34, in line 12, it is provided that these laws passed by the legislature shall be forwarded to the President and certified to by the chief clerk of the house. Now, that can be cured by providing that the certification shall be by the secretary of the Territory, and if the gentleman will permit me——

Mr. MANN. I think that is better.

Mr. LONGWORTH. I would like to ask the gentleman if it is intended in the case of the senate that the presiding officer shall be designated as speaker?

Mr. WICKERSHAM. Yes.

Mr. LONGWORTH. No senate in history has a presiding officer called the speaker. It seems to me that that ought to be changed.

Mr. WICKERSHAM. That is a mere question of verbiage.

Mr. LONGWORTH. Mr. Chairman, I move, in line 20, page 26, that the word "speaker" be stricken out and the words "presiding officer" be inserted.

Mr. FLOOD of Virginia. That will not do.

Mr. LONGWORTH. If this amendment is agreed to, I then propose to add, by another amendment, the words "who shall be designated as speaker in the case of the house and as president in the case of the senate."

Mr. MANN. Why does not the gentleman offer it as one amendment?

Mr. LONGWORTH. I will offer it as an amendment all together. Mr. Chairman, I will put it in writing and offer it later.

Mr. MANN. Mr. Chairman, I move to strike out on page 27, lines 2 and 3, the words "in the estimate made by the Secretary of the Treasury and included."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, lines 2 and 3, strike out the words "in the estimate made by the Secretary of the Treasury and included."

Mr. MANN. That will leave the matter so that it will read:

Provided, That no person shall be employed for whom salary, wages, or compensation are not provided in the appropriation—

leaving to Congress to determine whether it will make the appropriation and not the Secretary of the Treasury.

Mr. FLOOD of Virginia. That is all right and we accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. LONGWORTH. Mr. Chairman, I have not quite finished the amendment I propose to offer, and I ask unanimous consent that this section be passed without prejudice.

The CHAIRMAN. Without objection, the section will be passed without prejudice at the request of the gentleman from Ohio.

There was no objection.

The Clerk read as follows:

SEC. 9. Legislative power—limitations.—The legislative power of the Territory shall extend to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States, but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of nonresidents be taxed higher than the lands or other property of residents; nor shall the legislature grant to any corporation, association, or individual any special or exclusive privilege, immunity, or franchise without the affirmative approval of Congress; nor shall the legislature pass local or special laws in any of the cases enumerated in the act of July 30, 1886; nor shall it grant private charters or special privileges, but it may, by general act, permit persons to associate themselves together as bodies corporate for manufacturing, mining, agricultural, and other industrial pursuits, and for the conducting of business of insurance, savings banks, banks of discount and deposit (but not of issue), loans, trust, and guaranty associations, for the establishment and conduct of cemeteries, and for the construction and operation of railroads, wagon roads, vessels, and irrigating ditches, and the colonization and improvement of lands in connection therewith, or for colleges, seminaries, churches, libraries, or any other benevolent, charitable, or scientific association; no divorce shall be granted by the legislature, nor shall any divorce be granted by the courts of the Territory, unless the applicant therefor shall have resided in the Territory for two years next preceding the application; nor shall any lottery or the sale of lottery tickets be allowed; nor shall the legislature or any municipality interfere with or attempt in any wise to limit the acts of Congress to prevent and punish gambling, and all gambling implements shall be seized by the United States marshal or any of his deputies, or any constable or police officer, and destroyed; nor shall spirituous or intoxicating liquors be sold, except under such regulations and restrictions as Congress shall provide; nor shall any public money be appropriated by the Territory or any municipal corporation therein for the support or benefit of any sectarian, denominational, or private school, or any school not under the exclusive control of the Government; nor shall the government of the Territory of Alaska or any political or municipal corporation or subdivision of the Territory make any subscription to the capital stock of any incorporated company, or in any manner lend its credit for the use thereof; nor shall the Territory, or any municipal corporation therein, have power or authority to create or assume any bonded indebtedness whatever; nor to borrow money in the name of the Territory or of any municipal division thereof; nor to pledge the faith of the people of the same for any loan whatever, either directly or indirectly; nor to create, nor to assume, any indebtedness, except for the actual running expenses thereof; and no such indebtedness for actual running expenses shall be created or assumed in excess of the actual income of the Territory or municipality for that year, including as a part of such income appropriations then made by Congress, and taxes levied and payable and applicable to the payment of such indebtedness and cash and other money credits on hand and applicable and not already pledged for prior indebtedness: *Provided*, That all indebtedness incurred, or warrants or other evidences of indebtedness issued, shall be paid in the order of creation; and all taxes shall be equal and uniform, and no distinction shall be made in the assessments between different kinds of property, but the assessments shall be according to the value thereof. No tax shall be levied for Territorial purposes in excess of 1 per cent upon the assessed valuation of property therein in any one year; nor shall any incorporated town or municipality levy any tax, for any purpose, in excess of 2 per cent of the assessed valuation of property within the town in any one year: *Provided*, That the Congress reserves the exclusive power for five years from the date of the approval of this act to fix and impose any tax or taxes upon railways or railway property in Alaska, and no act or laws passed by the Legislature of Alaska providing for a county form of government therein shall have any force or effect until it shall be submitted to and approved by the affirmative action of Congress; and all laws passed, or attempted to be passed, by such legislature in said Territory inconsistent with the provisions of this section shall be utterly null and void.

Mr. LONGWORTH. Mr. Chairman, I now offer an amendment to section 7, which section we have passed, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 26, line 20, amend by striking out the word "speaker" and insert in lieu thereof the words "presiding officer, who shall be designated in the case of the senate as president of the senate, and in the case of the house of representatives as speaker of the house of representatives."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. FLOOD of Virginia. Mr. Chairman, I ask unanimous consent to return to section 8, page 27, line 11, for the purpose of offering an amendment to the bill.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to return to section 8, page 27, line 11, for the purpose of offering an amendment. Is there objection?

There was no objection.

Mr. FLOOD of Virginia. Mr. Chairman, I move to amend by striking out the word "object," in line 11, page 27, and inserting in lieu thereof the word "subject."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 11, strike out the word "object" and insert in lieu thereof the word "subject."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 30, line 17, after the word "void," insert: "*Provided*, That the assessed valuation shall be based on actual value."

Mr. MANN. I think that is already in that section.

Mr. MADDEN. No; I think it is not.

Mr. MANN. In lines 1 and 2, page 30, there is the language:

But the assessments shall be according to the value thereof.

Mr. WICKERSHAM. Yes.

Mr. MADDEN. Does the gentleman think that that covers it?

Mr. WICKERSHAM. I do.

Mr. MADDEN. I shall offer an amendment to insert the word "actual" before the word "value" there. I think that word ought to be there. Mr. Chairman, I ask unanimous consent to

withdraw the amendment which I have just sent to the desk and which has been reported.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I now move to amend by inserting the word "actual" before the word "value," line 2, page 30.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 30, line 2, insert before the word "value," the word "actual."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 28, line 17, after the word "application," insert: "Nor for any cause except adultery or extreme and repeated cruelty."

Mr. MANN. Mr. Chairman, one of the scandals in connection with the administration or the maladministration of justice in our country has been the freedom of obtaining divorces in some of the States and Territories. The amendment which I have offered proposes to limit the right of the Territorial legislature in authorizing a law to grant divorces, so that divorces may not be granted for any reason except adultery or extreme and repeated cruelty.

Mr. FLOOD of Virginia. Mr. Chairman, I hope that amendment will be voted down. There is no reason why any such law as this should be passed as to Alaska. There has been no abuse of divorce laws in Alaska, and I see no reason why we should incorporate such a provision in the bill.

Mr. MANN. Mr. Chairman, there has been no abuse of the divorce laws in Alaska. There has been no possibility of abuse of divorce laws in Alaska. Let us hope there will be no abuse of divorce laws in Alaska, but we know there has been the greatest abuse of divorce laws in some of our States and Territories, and there is now. We have restricted the power of this legislature over various things, including lotteries and gaming, and it does not seem to me to be any invidious distinction to provide against granting divorces in Alaska, say, for instance, for desertion. I do not believe that we ought to allow the legislature of Alaska to say that a man may come to Alaska, tell his wife to come with him, have her decline to come, and then after he has been there for a year get a divorce upon the ground of desertion. I think we ought to guard against that. I do not see how anybody can defend a proposition of that sort. It is no reflection upon the legislature, and only one addition to a number of restrictions already contained in the bill.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 25, noes 36.

Mr. MANN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-four gentlemen are present—not a quorum. The doors will be closed and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adair	De Forest	Houston	Moon, Pa.
Adamson	Denver	Howard	Moore, Tex.
Allen	Dickson, Miss.	Hubbard	Needham
Ames	Donohoe	Hughes, N. J.	Nelson
Anderson, Minn.	Dwight	Hughes, W. Va.	Olmsted
Anderson, Ohio	Estopinal	James	O'Shaunessy
Andrus	Fairchild	Johnson, Ky.	Padgett
Ansberry	Fields	Kahn	Palmer
Anthony	Fordney	Kennedy	Parran
Barchfeld	Gardner, Mass.	Kent	Patten, N. Y.
Bartholdt	Garrett	Kitchin	Porter
Bates	George	Knowland	Pou
Bell, Ga.	Gillett	Konig	Powers
Borland	Godwin, N. C.	Korbly	Prince
Bradley	Goldfogle	Langham	Prouty
Broussard	Good	Langley	Rainey
Buchanan	Graham	Lawrence	Randell, Tex.
Bulkley	Greene, Mass.	Levy	Ransdell, La.
Burke, Pa.	Gregg, Pa.	Lindsay	Reilly
Burke, Wis.	Griest	Littleton	Reyburn
Calder	Gudger	Lloyd	Richardson
Callaway	Hamill	Lobeck	Riordan
Clark, Fla.	Hanna	McCall	Roberts, Mass.
Claypool	Hardwick	McCoy	Roberts, Nev.
Clayton	Hardy	McCreary	Rodenberg
Copley	Harris	McDermott	Rothermel
Cox, Ind.	Harrison, N. Y.	McGuire, Okla.	Rouse
Cravens	Hay	McHenry	Rucker, Colo.
Curley	Hayden	McKellar	Rucker, Mo.
Currier	Hayes	McKenzie	Saunders
Danforth	Heflin	Maher	Scully
Davidson	Hensley	Matthews	Sheppard
Davis, W. Va.	Hinds	Mays	Sherwood
Slemp	Sulloway	Tuttle	Wilson, N. Y.
Smith, Cal.	Switzer	Underwood	Wood, N. J.
Smith, N. Y.	Taggart	Utter	Woods, Iowa
Sparkman	Taylor, Ala.	Weeks	Young, Mich.
Stack	Thistlewood	Whitacre	
Stanley	Thomas	Wilder	
Stevens, Minn.	Townsend	Wilson, Ill.	

The committee rose; and Mr. SHERLEY having assumed the chair as Speaker pro tempore, Mr. CLINE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 38, and finding itself without a quorum, he ordered the roll to be called, that 234 Members answered to their names, and he reported back to the House the absentees.

The SPEAKER pro tempore. The Chairman of the Committee of the Whole House on the state of the Union reports that that committee having found itself without a quorum, he ordered the roll to be called, whereupon 234 Members answered to their names—a quorum. The absentees will be noted upon the record and the committee will resume its session.

Accordingly the committee resumed its session.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois, and the Clerk will again report the amendment.

The amendment was again reported.

Mr. MANN. Mr. Chairman, the bill provides "nor shall any divorce be granted by the courts of the Territory unless the applicant therefor shall have resided in the Territory for two years next preceding the application," and the amendment which I have offered provides "nor for any cause except adultery or extreme and repeated cruelty," which would confine the granting of divorce under the laws to be passed by the Territorial legislature to the two causes named, which, if I remember correctly, are the causes now in force in the District under an act of Congress.

We have provided in the District of Columbia that causes for divorce shall be adultery or extreme and repeated cruelty. We think we ought to make the same provision in reference to Alaska, so that there shall never arise the scandal in regard to granting divorces for desertion after people move to the Territory which has arisen in some of the Territories and, I regret to say, in some of the States of the Union.

Mr. FINLEY. Mr. Chairman, I move to amend the amendment by striking out after the words in the bill:

No divorce shall be granted by the courts in the Territory.

I offer it by way of substitute for the amendment pending.

The CHAIRMAN. The Clerk shall report the substitute.

The Clerk read as follows:

Substitute by striking out, in lines 15 and 16, the following: "Unless the applicant therefor shall have resided in the Territory for two years next preceding the application——

Mr. MANN. Mr. Chairman, I make the point of order that the amendment offered by the gentleman from South Carolina is not a substitute by way of amendment.

Mr. FINLEY. I offer it by way of substitute.

Mr. MANN. I make a point of order that it is not in any way a substitute. My amendment is to insert a provision in the bill. The gentleman offers an amendment to strike something out of the bill that is not in it.

Mr. FINLEY. I offer it by way of amendment.

The CHAIRMAN. The Chair will hear the gentleman from Illinois [Mr. MANN] on the point of order.

Mr. MANN. The bill provides in reference to divorces. Now, I have offered to insert after the word "application" certain language.

Mr. FINLEY. Mr. Chairman, if the gentleman will indulge me one moment, in view of his proposition that his amendment is by way of perfecting the text, I withdraw my amendment and will offer it later.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from South Carolina [Mr. FINLEY] will be withdrawn.

There was no objection.

Mr. FLOOD of Virginia. Mr. Chairman, I hope the amendment offered by the gentleman from Illinois will not be adopted. The gentleman says he wishes to avoid the scandals that have occurred in certain States of the Union by reason of people going temporarily to these States and securing divorces. This bill, as reported from the committee and as now pending, provides that no divorce shall be granted in Alaska until the party asking for it shall have been a resident of Alaska for two years. That answers the first argument of the gentleman.

As to the limitations of the grounds of divorce, I think they are unwise. The fact that Congress passed such a law for the District of Columbia does not necessarily make it wise. It has

never passed it for any other district or Territory in the country. At present divorces can be granted in Alaska for the following reasons:

1. Impotency existing at the time of the marriage and continuing to the commencement of the action.
2. Adultery.
3. Conviction of felony.
4. Willful desertion for a period of two years.
5. Cruel and inhuman treatment calculated to impair health and endanger life.
6. Habitual gross drunkenness contracted since marriage and continued for one year prior to the commencement of the action.

It does not seem to me, Mr. Chairman, that a question of this character should be taken up and disposed of in the time in which we have to consider a general legislative bill for Alaska. If there are dangers in the divorce evil, as claimed by the gentleman from Illinois—and I agree with him that there has been great abuse in certain States—we had better take up this general divorce law and amend it, after having duly considered the amendments.

I do not think the limitations which the gentleman from Illinois offers are wise. There are other grounds than adultery and cruelty that should be reasons for a divorce. Desertion certainly should be one. But even if the contentions of the gentleman are correct it would be wiser to let this matter be dealt with in some other bill than in this legislative act.

Mr. YOUNG of Kansas. Will the gentleman yield?

Mr. FLOOD of Virginia. Yes.

Mr. YOUNG of Kansas. Allow me to make the suggestion further that if this passes in this way and becomes a law the husband or wife that is convicted of a felony could not be divorced.

Mr. FLOOD of Virginia. Certainly. A husband who deserts his wife and stays away from her for 5 or 10 or 15 years, with never any intention of returning, would be immune from the law and the wife would have no remedy whatever. There are a number of causes which in the wisdom of the legislature of a Territory would be sufficient to justify its courts in granting divorces that we ought not to cut off from consideration. I do not think it is wise in enacting an organic law for the people of Alaska to hedge them about with limitations of this kind, and deny them and their legislature the right that has been extended to every other Territorial legislature in the country.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BLACKMON. Mr. Chairman, I desire to offer an amendment to the amendment. I want to move to strike out the words "and repeated" in the amendment offered by the gentleman from Illinois.

The CHAIRMAN. The Chair did not observe the gentleman from Alabama standing. The Clerk will report the amendment offered by the gentleman from Alabama to the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amend the amendment by striking out the words "and repeated."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama to the amendment of the gentleman from Illinois.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Illinois.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 50, noes 71.

So the amendment was rejected.

Mr. FINLEY. Mr. Chairman, I move to amend, on page 28, line 15, by striking out, after the word "Territory," the words "unless the applicant therefor shall have resided in the Territory for two years next preceding the application."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Amend, page 28, line 15, by striking out, after the word "Territory," the words "unless the applicant therefor shall have resided in the Territory for two years next preceding the application."

Mr. FINLEY. Mr. Chairman, if there is one question that is of greater moment and greater importance to the people of the United States to-day, that is of greater moment to the civilization of this country than any other, it is the question of divorce.

I know that divorces are granted in a great majority of the countries of the world. Everybody knows that. But what are the results? How does it affect home life, the family, and so on? In the opinion of millions of people it affects the home, civilization, and the family for evil. In South Carolina no divorce can be obtained for any cause, and I defy the man to stand up here and challenge the civilization of South Carolina from the standpoint of home, of family, of virtue, and morality. [Applause.]

The man who would stand here and cast any aspersion upon the State of South Carolina on any of those grounds would not be speaking the truth. I say that woman in South Carolina stands upon a plane as high as man can place her, and it follows that her civilization is secure. I assert that this is true because in the State of South Carolina there is no divorce law. You can get married there; yes. Once in awhile, but very rarely, somebody will suffer; somebody will be unfortunate. But these cases are exceedingly rare. You can take an isolated case here and there, but the instances are so few that the good results that come from there being no divorce law in the State outweigh ten thousand times the evils that can be complained of on the ground that there is no divorce law in South Carolina.

Mr. KINKEAD of New Jersey. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from New Jersey?

Mr. FINLEY. Certainly.

Mr. KINKEAD of New Jersey. Has there been any substantial demand in South Carolina for a change in the divorce laws of the State?

Mr. FINLEY. I will say to the gentleman that the sentiment of South Carolina is unanimous that there should be no divorce law in the State. There is no demand for one.

Mr. KINKEAD of New Jersey. That was my understanding.

Mr. FINLEY. Absolutely none.

We are here legislating for a Territory. The Congress is called upon to pass a fundamental law for the Territory of Alaska. This is the last Territory, I believe, that we have, so let us make a model law for Alaska. Let us say to the people of Alaska, to the people of the United States, and all the world that on this question we will take high ground and legislate in such a way for Alaska that there will be no scandalous divorce proceedings, breaking up homes and families, and undermining our civilization—evils which, if they continue as they have existed and as they have grown in the last three decades, will undermine the institutions of this country. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. FLOOD of Virginia. I hope the committee will vote down the amendment of the gentleman from South Carolina. No one here could or would say aught in detraction of the splendid civilization of South Carolina; but we must remember that there are 47 other States in this Union, with as high a civilization as South Carolina, and the civilization and wisdom of those 47 States have led to a different conclusion on this subject from that of South Carolina. They have taken a different view of this question; and in this bill we are crystallizing the wisdom of 47 States against that of the one.

Mr. FINLEY. And the 47 are wrong.

The CHAIRMAN. The question is on the amendment of the gentleman from South Carolina.

The question being taken, on a division (demanded by Mr. FINLEY) there were—ayes 50, noes 71.

Accordingly the amendment was rejected.

Mr. MONDELL. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amend, page 30, line 17, by inserting the following:
"*Provided further*, That nothing herein contained shall be held to abrogate the right of the legislature to modify the qualifications of electors by extending the elective franchise to women."

Mr. MONDELL. Mr. Chairman, a few minutes ago the Committee of the Whole—very unwisely, in my opinion—voted down by a tie vote an amendment which would have been of very great value to Alaska, an amendment giving the better half of the population of Alaska the right to vote. [Applause.] While the committee made that mistake, I do not think the committee is prepared to make the further mistake, in granting this limited form of self-government to Alaska, of so legislating that the people of Alaska themselves can not call to their aid in legislation and administration the most virtuous and intelligent half of their population. [Applause.]

My amendment simply provides that the people of Alaska shall have the power to dispose of this matter as they think fit—may grant the elective franchise to women. If they desire to do so, it simply enlarges the scope of the self-government provided for by the act.

Mr. FLOOD of Virginia. There is nothing in this bill to prevent the legislature of Alaska from passing such an act and submitting it to Congress if it desires to do so, so there is no use in adopting this amendment, and I am opposed to inject-

ing the question of woman suffrage into the bill providing a Territorial legislature for the people of Alaska.

Mr. MONDELL. Will the gentleman yield for a question?

Mr. FLOOD of Virginia. Yes.

Mr. MONDELL. If the gentleman will kindly turn to section 5, he will discover that the qualifications of electors are fixed by this legislation, and there is no authority given the legislature of Alaska to change those qualifications in any wise, unless we grant the right provided in this amendment. As the matter now stands in the bill, Alaska has no control whatever over the question of the qualifications of electors. This amendment would give them the right to change those qualifications, so far as extending the franchise to women is concerned.

Mr. FLOOD of Virginia. The statement I made was that there was nothing in this law to prevent the legislature of Alaska from petitioning Congress to pass a law of this kind.

Mr. MONDELL. Oh, there is nothing to prevent that legislature petitioning Congress to repeal the Constitution of the United States, for that matter.

Mr. FLOOD of Virginia. This bill does not change the qualifications of electors from what they are in the existing law. There is nothing in the pending bill that changes the qualifications of electors from existing law. If Congress wants to go into the question of female suffrage at any time, it can take up the existing law and change it. I do not think we ought to.

Mr. MONDELL. This is a proposition to give the people of Alaska the opportunity to take up the question of whether or not they desire to extend the franchise to women. Does the gentleman believe in local self-government?

Mr. FLOOD of Virginia. I do.

Mr. MONDELL. Does the gentleman desire to withhold from the people of Alaska the opportunity to extend the franchise?

Mr. FLOOD of Virginia. I do not.

Mr. MONDELL. Then vote for my amendment.

Mr. FLOOD of Virginia. If the gentleman from Wyoming had been as much interested in giving the people of Alaska local self-government for the last 10 years, when the Republican Party was in power, as he seems to be now, they would have had it.

I say there is no occasion to burden this bill with amendments of this character. The people of Alaska, through their legislature, can petition Congress to make this change if they wish to. This bill does not deny to the people of Alaska that right. It does not change the qualifications of electors in Alaska.

Mr. MADDEN. Does the gentleman from Virginia think, in the face of the fact that the House has already voted against the proposition granting woman suffrage, presented by a Member of the House, that it would pay any attention to a request made by the legislature of Alaska?

Mr. FLOOD of Virginia. I hope it would not. I do not think the people of Alaska would make such a request.

Mr. MONDELL. Then the gentleman from Virginia is against woman suffrage?

Mr. FLOOD of Virginia. I am unqualifiedly against it.

[Mr. MACON addressed the committee. See Appendix.]

Mr. RAKER. Mr. Chairman, unfortunately, when the matter came up in reading section 5 of the bill, I was called out to a committee room. I intended to offer the following amendment, to follow the word "legislature," line 22, page —, of the bill, to read as follows:

Provided, That all male and female citizens of the United States, residents of Alaska, having the qualifications specified in section 3 of said act of May 7, 1906, shall be qualified electors at that election under the provisions of this act.

I find section 3 of the act of May 7, 1906, reads as follows:

That all male citizens of the United States 21 years of age and over, who are actual and bona fide residents of Alaska and who have been such residents continually during the entire year immediately preceding the election and who have been such residents continually for 30 days next preceding the election in the precinct in which they vote, shall be qualified to vote for Delegates for Alaska.

The provision of the bill and act will leave it entirely with Congress to take it out of the hands of the legislature of Alaska, if this bill passes, in relation to giving women a vote. I will now yield to the gentleman from Illinois.

Mr. MANN. Is the gentleman aware that when section 5 of the bill was reached—the proper place for an amendment of this kind—I offered an amendment such as the gentleman now suggests, and it was twice lost on a tie vote because the gentleman was not here?

Mr. RAKER. Mr. Chairman, I am here now, and here for the purpose of speaking in behalf of the amendment introduced by the gentleman from Wyoming [Mr. MONDELL] and in behalf of the proposed amendment by myself. It has been stated upon the floor of this House that this is legislation for the purpose of giving the citizens of Alaska an opportunity for self-government and allow all to participate in such government, that they might pass laws to govern themselves; and yet, while you are asking us to adopt such a law by this bill, you exclude one-half of the qualified citizens as voters—citizens who should be undoubtedly permitted to vote and to pass upon such legislation as should be passed in Alaska.

I want to call the attention of the committee to the fact that the State of California has already adopted a constitutional amendment giving women the right to vote. As a result of that, instead of the back rooms of old buildings and undesirable places being used as voting places, since that time we have found that the schoolhouses, the best rooms in the town, are prepared for the use of our voters, and our women vote; and they are taking an active and earnest interest and are making an honest effort in behalf of passing proper legislation, electing the best-qualified persons for office, and in making better laws, so that the people living under those laws might have a better opportunity, that the children may be provided with better conditions, and that better laws may be passed for the regulation of schools and the sanitary conditions of towns, better water systems may be installed, and that the people may be in a better position generally. The purpose of passing this bill is to give 40,000 people the right to govern themselves, and yet, at the very moment of passing it, you deny 20,000 citizens of that country the right to participate in the elections of the country and to say who shall be their officers and what laws shall be passed.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Certainly.

Mr. BARTLETT. Have they had any elections in California since the granting of suffrage to women in that State?

Mr. RAKER. Yes; we have had many of them.

Mr. BARTLETT. Has the State had an election upon the whisky question lately?

Mr. RAKER. We have voted on all questions.

Mr. BARTLETT. And the State of California went wet, I believe, upon that vote?

Mr. RAKER. The State did not vote upon this question. There never has been any vote taken upon it except in the counties and the districts; and besides, that is no excuse for denying citizens the opportunity to vote. I want to say further upon the general subject of extending the right of the franchise to women that——

The CHAIRMAN. The time of the gentleman from California has expired.

[Mr. TAYLOR of Colorado addressed the committee. See Appendix.]

Mr. STEPHENS of California. Mr. Chairman and gentlemen——

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, in order to shorten time, I wish to ask unanimous consent that all gentlemen here coming from woman's-suffrage States be permitted to extend their remarks in the RECORD. I mean those who are making their speeches for home consumption.

Mr. STEPHENS of California. Mr. Chairman, in answer to the gentleman from New York I desire to state that what I have to say is for his benefit, and not for my own use in the State of California. [Applause.]

Mr. MICHAEL E. DRISCOLL. Oh, put it in the RECORD.

Mr. STEPHENS of California. The State of California, as the Members know, has adopted woman's suffrage. I was for equal suffrage before election as well as after election, and I worked for it because I believed in it. Woman's suffrage in California has convincingly demonstrated its usefulness and its value to the people. I am in favor of the amendment offered, for I believe we should have equal suffrage in every State and Territory of the United States. This afternoon when this subject first came up I had the pleasure of voting for it, and later the honor of being the first man to pass between the tellers and have my vote counted for woman's suffrage. [Applause.]

Mr. HOBSON. Mr. Chairman, I am in favor of women's suffrage [applause], and for two fundamental reasons. The first is because I believe that the political conditions of the world need the benefit of the exercise of political power by these specialists in the field where woman is a specialist. The laws on the statute books of the world to-day are woefully lacking in dealing with questions that bear upon child life, upon public morals, upon public health. The great reforms so urgently needed for the betterment of the conditions of living of the masses must look to woman's emancipation for their fulfillment.

Mr. MICHAEL E. DRISCOLL. Will the gentleman yield for a question?

Mr. HOBSON. I have but five minutes.

Mr. MICHAEL E. DRISCOLL. Just one question. Does the gentleman expect if ladies were elected to Congress that they would vote for battleships?

Mr. HOBSON. I believe as compared with the gentleman from New York they would show a commendable intelligence and patriotism on such questions. [Laughter and applause.] Mr. Chairman, man is engaged chiefly in business, in dealing with questions of property, questions of commerce, and the like, and the statutes and the laws of the world are confined in large measure to those matters and are largely deficient in dealing with questions relating to life itself, the home, the welfare of the child, conditions of health, the morals of the community, and even education. We find ample provisions of law for dealing with cholera in hogs or foot-and-mouth disease in cattle, but there is nothing to reach infant mortality and little to reach child labor, debauchery, and moral obliquity. To get these questions properly dealt with in the statutes and the laws of the world we must invoke the political aid of that part of humanity that gives daily attention to those matters.

The second fundamental reason is this: Self-government is a trait that is evolved in humanity. Humanity does not escape the great law of heredity that governs the rest of creation. If you want to create a great pacer, you look to the development of the mother of the pacer as much as and even more than to the development of the father. If we wish to produce a race of men of the highest capacity for self-government, of the highest wisdom in politics, we must see that those faculties involved in government and in politics are developed in the women of the race. Historically the great achievements of the ages have not been by men alone, but have been by men whose women were with the men in the field of achievement. [Applause.]

The Roman Empire was overthrown by the women of the Gauls, who went with their husbands, their fathers, their sons, their brothers, and who stayed with them, gathering the powers of conquest in their own brains and their own hearts and their own blood, and giving birth to the race of warriors that finally conquered Rome. For any other great race achievement in the world the scientific way to get the highest and best results is to develop the qualities required in the mothers of the men. We are weak in the development of our men wherever we are weak in the development of our women. If we would have a race and a nation capable of the highest forms of self-government and containing the greatest wisdom in public affairs, we must overcome the weakness along these lines of our average heredity, the weakness in the political development of the mothers of the Nation.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. GREEN of Iowa and Mr. BERGER rose.

Mr. FLOOD of Virginia. Mr. Chairman, I move that all debate on the pending amendment close in 10 minutes.

Mr. MANN. Give us a little more time.

Mr. BERGER. All I want is five minutes.

Mr. FLOOD of Virginia. What I am trying to arrange is for the time.

Mr. MANN. I want five minutes.

Mr. FLOOD of Virginia. I ask, Mr. Chairman, that all debate on this amendment close in 15 minutes.

Mr. MONDELL. There are four or five gentlemen who desire to talk. Can you make it 25 minutes?

Mr. FLOOD of Virginia. We are compelled to pass this bill this afternoon.

Mr. MONDELL. We will do that.

Mr. FLOOD of Virginia. We will not do it if we keep on talking. I move that all debate on the pending amendment close in 15 minutes.

The CHAIRMAN. The gentleman from Virginia moves that all debate on the pending amendment close in 15 minutes.

The question was taken, and the motion was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I have often observed that many who profess having the highest regard for women are most afraid that women should exert their influence in public affairs; but the question, Mr. Chairman, at this time before this House is not the question of woman suffrage. On the contrary, the question is simply that of local self-government, and that is all we are voting on now. It is a question that ought not to be determined by the ideas of the gentleman from Arkansas [Mr. MACON], or even of the gentleman from Alabama [Mr. HOBSON], no matter whether I or others agree with them. The question ought to be determined by the inhabitants of Alaska, those who are qualified under this law to vote and determine it. It is so determined in every State.

Mr. FLOOD of Virginia. May I interrupt the gentleman a moment? I will say to him that there are a great many powers that this bill could confer upon the legislature of Alaska, which it has not done, which would go to make up local self-government, but we restricted the powers we confer upon it.

Mr. GREEN of Iowa. That is very true; but this is one which, above all, ought to be conferred on the people of that Territory. [Applause.] They know for themselves whether the influence of women will be for good or for bad, and they ought to have the privilege of determining it. I do not, by anything I say, intend to express any approval or disapproval of the general principles implied in women exercising the function of the ballot. That is not the question now to be determined. The other powers which have been conferred by this bill can not be properly exercised unless the inhabitants of Alaska also have this privilege which is sought to be conferred by this amendment. And that is all the House should consider at this time. [Applause.]

Mr. MANN. Mr. Chairman, I would like to be recognized for three minutes only.

Mr. BERGER. I would like five minutes.

Mr. MANN. I would like the Chair to call me down at the end of three minutes, if I do not stop before.

Mr. Chairman, when the section of this bill which relates to the qualifications of electors was reached I offered an amendment amending the law now on the statute books and fixing the qualifications of electors so as to strike out the word "male," which would have conferred the right of the elective franchise upon both men and women. That motion was lost by a tie vote on a division and by a tie vote by tellers, the last vote that could be obtained in the Committee of the Whole.

I have heard three gentlemen of the House already apologize for not being here, two of them sent here by women's votes, or two men who hope to be returned by women's votes.

Mr. RAKER. Will the gentleman yield for a question?

Mr. MANN. I will not. I have only three minutes.

Now, if these gentlemen had been here when this provision of the bill was reached and voted for the amendment, it would have prevailed. [Applause.]

I appreciate the desire of the gentlemen to apologize for their absence. I hope that in the future, if they endeavor to represent the women of their States, they will be "on the job" when the question comes up and have no occasion for offering an apology.

But the House, having had a tie vote, at that time declined to insert that provision in the bill directly, and I made a point of no quorum and obtained the presence of more Members of the House, and the gentleman from Wyoming [Mr. MONDELL] has now offered an amendment to let the legislature of Alaska give the right of franchise to women.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from California?

Mr. MANN. I can not yield. I have only three minutes' time.

The CHAIRMAN. The gentleman declines to yield.

Mr. RAKER. Just for a question.

Mr. MANN. Oh, well, I will yield to the gentleman. The gentleman forces me to yield. By the time I have yielded I suppose my time will have expired.

Mr. RAKER. The call of the House was on another proposition altogether, not upon the vote.

Mr. MANN. Does the gentleman need to tell the House that? Everybody in the House knows it and the RECORD shows it. I made the point of no quorum to bring the House here, because I knew the gentleman from Wyoming [Mr. MONDELL] proposed to offer this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BERGER rose.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. BERGER. Mr. Chairman, it is quite remarkable that the people of the fifth district of Wisconsin, covering a part of the city of Milwaukee, are so progressive as to send the first Socialist to Congress. I am proud that I have the honor to represent them. I am proud of Milwaukee.

Mr. Chairman, I am in favor of the amendment offered by the gentleman from Wyoming [Mr. MONDELL] for three reasons.

The first reason is that women are entitled to the franchise as a matter of justice, not because women will elevate politics. They have not elevated politics in Colorado. They have not done so in Wyoming. They are the mainstay of Mormonism in Utah and in Idaho. [Laughter.]

But I favor the amendment as a matter of justice. While they have not elevated politics, as voters they are, after all, fully as good as men. And women are not making any worse a job of it where they have a vote than the men do where men alone vote. [Applause.]

My second reason is a political reason. I favor woman suffrage as a matter of democracy. Women form a part of our population—fully one-half of the adult population. They are folks, like men. They ought to have the same rights and the same privileges as men. All just government is founded on the consent of the governed. We can not have a free country, we can not claim to have a real democracy, as long as fully one-half of the citizens of the country are disfranchised. To paraphrase a sentence of Abraham Lincoln: "A country can not endure that is half free and half not free."

But there is also one more reason, and that is an economic reason.

In former days, especially among Germans, the good hausfrau—the housewife—was the ideal woman. In the days of our fathers and grandfathers the woman, the housewife, had nothing else to do—could do nothing else—than take care of the family, the kitchen, and the household. That time is passed, especially in large cities. Women now must go out into the world and work. They have to support themselves, and very often they also must help to support their family. Women work in stores, offices, schoolrooms, and millions of them go into factories. The number of women at work in 1900 was 5,319,397. I do not have the figures for 1910 at hand.

Working like men, they ought to have the same economic and political rights as a man. That is all there is to it. Not because women are better—although I believe they are better—and they are better looking, of course. [Laughter and applause.] As a matter of justice, democracy, and economic fairness women citizens should have the same political and economic rights as men citizens.

Mr. FERRIS. Mr. Chairman, will the gentleman yield there for a question?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Oklahoma?

Mr. BERGER. With pleasure.

Mr. FERRIS. Does the gentleman think that if women had an equal political right to vote with men they would have enjoyed the privileges which they did enjoy the other day when the *Titanic* sank?

Mr. BERGER. I do. And for this reason: After all, woman is of more importance to the race than is the man, and every real man realizes that by instinct. The safe-keeping of the race is left to the women. [Applause.] I hope I will never be on a boat like the *Titanic*—I mean in a situation of that kind. But I, for one, and I believe every Member of this House, would stay back at any time and give way to the women and children, whether women enjoyed suffrage or not.

Gentlemen, I say again, I am in favor of the amendment, and I hope it will prevail. [Applause.]

Mr. Chairman, I yield back the remainder of my time. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

The question was taken, and the Chairman announced that the "ayes" seemed to have it.

Mr. MONDELL. Division!

Mr. FLOOD of Virginia. A division, Mr. Chairman.

The committee divided; and there were—ayes 73, noes 41.

Mr. FLOOD of Virginia. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. FLOOD of Virginia and Mr. MONDELL.

The committee again divided; and the tellers reported—ayes 81, noes 35.

Accordingly the amendment was agreed to.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California is recognized for five minutes.

Mr. RAKER. Mr. Chairman, I should like to ask unanimous consent to return to section 5, line 22, for the purpose of offering an amendment.

Mr. JACKSON. The gentleman is asking unanimous consent?

Mr. RAKER. I am going to when I finish reading this amendment.

Mr. JACKSON. I desire to offer an amendment to this section before returning to a former section.

SEVERAL MEMBERS. Regular order.

The CHAIRMAN. The regular order is demanded.

Mr. RAKER. I have moved to strike out the last word, and I wish to make a statement before I get to my amendment.

The CHAIRMAN. The Chair understood the gentleman subsequently to make a request for unanimous consent, and to that request a demand for the regular order is equivalent to an objection.

Mr. RAKER. I have not yet submitted my request for unanimous consent. I am heartily in favor of this legislature proposed by this bill. The people of Alaska should have a right to govern themselves as far as possible. I hope the bill will pass. Some amendments should be made, and in the five minutes which I have I desire to say that I shall, when the time comes, present the following as one of those amendments:

Provided, That all male and female citizens of the United States, residents of Alaska, having the qualifications specified in section 3 of said act of May 7, 1906, shall be qualified electors at all elections under the provisions of this act.

Now, I understand that the original vote on this proposition was 26 to 26 and then 41 to 41, so that it was a tie both times.

In response to the gentleman from Illinois, I want to say that since I have had the privilege of being a Member here, there has not been one roll call when I have been absent from my place in this House. I have at all times been present and doing my duty as a Member of this House. In addition to that, at the time when this matter came up to-day, I was in attendance before a committee which had under consideration important legislation bearing upon the interests of the State of California. I was here when the bill was being first considered this morning, as the record will show. While I was there this amendment was voted on. I believe, under the circumstances, after the vote which has been taken here, no man will permit himself to object to a proper request to return to this paragraph in order that the House may have an opportunity to vote upon this amendment.

Now, Mr. Chairman, I ask unanimous consent that we return to paragraph 5 for the purpose of presenting the amendment just read, so that the House may have an opportunity to vote upon it.

Mr. MACON. Mr. Chairman, I object.

The CHAIRMAN. Objection is made by the gentleman from Arkansas [Mr. MACON].

Mr. JACKSON. Mr. Chairman, I desire to offer the following amendment:

Page 28, line 17, insert, after the word "application," the following: "Which residence and all causes for divorce shall be determined by the court upon evidence adduced in open court."

Mr. Chairman, I prepared this amendment before the question of equal suffrage was introduced into the debate the second time; and for that reason, when the gentleman from California [Mr. RAKER] sought to introduce it again, I was inclined to object. I want to say that I voted for it both times; but it seems to me that this section concerning divorce, as well as many other good amendments for which I have voted here to-day, have been sought to be written into this law for the purpose of preventing any scandal or any fraud in obtaining divorces in that new and distant Territory. It seems to me that the principal source of fraud in the granting of divorces rests in court procedure rather than in the causes for divorce, or even in the requirements as to residence.

I presume all lawyers here are acquainted with the practice of proving residence by affidavit, especially in cases where service is sought by publication. I think it is well, therefore, for us to provide that all questions of residence shall be established in open court, by testimony taken before the court; and I think it is also well, in order to guard againt any collusion between the parties desiring divorce, that the cause for divorce shall also be established before the court, upon testimony regularly adduced in court. That is the law in a number of States, and it has a salutary effect in preventing collusive and fraudulent divorces.

Mr. TOWNER. Mr. Chairman, I rise to earnestly ask this committee to adopt the amendment that has been offered by the gentleman from Kansas. I hope the committee will not object to this very important amendment.

Mr. FLOOD of Virginia. Will the gentleman yield?

Mr. TOWNER. Certainly.

Mr. FLOOD of Virginia. Do I understand the gentleman is in favor of the amendment?

Mr. TOWNER. Yes.

Mr. FLOOD of Virginia. I will say that we are willing to accept the amendment. It is now the law or the practice in Alaska at this time, and the committee thinks it is a good amendment.

Mr. TOWNER. Mr. Chairman, I am glad to learn that, but if the committee will permit me I desire to say one or two things in direct connection with it. It appears to me, Mr. Chairman, that we are making a mistake in regarding these matters as of little importance. The Nation does not so regard them. There has been a demand, Nation wide in extent, that the evils that are apparent in divorce proceedings, the scandals that have attended divorce proceedings in the United States,

shall be remedied. Demands have been made that the National Government itself should seek to legislate upon this question. Of course, that demand is met by the answer, which is sufficient, that the Nation ought not to seek to invade and can not invade the province of the State in that regard. But a responsibility is placed upon us, Mr. Chairman, whenever legislation upon great and important questions of this kind for a Territory come before us. We must consider the rights of the people of the Territory which are involved in that determination and action, and we should also remember that the action we take will be considered as an expression of the sentiment of the people of the United States with regard to that question. And so I would very much like, if it could be possible, that this great question of divorce could be carefully considered not only in regard to the people of the Territory of Alaska, but as an expression, somewhat at least, of the sentiment of the people of the United States in regard to that question. [Applause.]

Mr. FOWLER. Mr. Chairman, I want to ask the author of this amendment a question. Is it the intention of this amendment to cut out such evidence as depositions in court?

Mr. JACKSON. No; depositions, of course, would be evidence. The purpose of the amendment is to cut out the secret granting of divorces, the star-chamber proceedings, and, what is perhaps more important, granting the publication of service on affidavits, so that any person who is divorced must appear in court and prove his case on testimony adduced in court.

Mr. FOWLER. The amendment does not deal with the method of getting into court, as I understand it.

Mr. JACKSON. That is true; but the provision of the statute is that no divorce shall be granted except upon two years' residence, which would be jurisdictional. The amendment provides that that must be established in open court on the testimony, so that if anyone sought a publication service, which, of course, they will in most cases of divorce in Alaska, they would some time during the case have to prove residence by producing the testimony in court.

Mr. RAKER. Mr. Chairman, I would like to offer an amendment to the amendment by providing that no divorce shall be granted by default.

Mr. MANN. If you could not grant it by default, you could not grant it at all if nobody appears.

Mr. JACKSON. The amendment provides that it shall not be granted on default alone, but only upon residence in open court.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was considered, and the amendment was agreed to.

Mr. TURNBULL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 29, in lines 25 and 26, and line 1, on page 30, strike out the words "and all taxes shall be equal and uniform, and no distinction shall be made in the assessment between different kinds of property, but," and insert in lieu thereof the words "all taxes shall be uniform upon the same class of subjects and shall be levied and collected under general laws and"——

Mr. FLOOD of Virginia. Mr. Chairman, we have conferred with the gentleman from Virginia about the amendment, and I think it is an improvement to the bill, and we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. RAKER. Mr. Chairman, I offer the following amendment: On page 28, line 15, after the word "have," insert the following: "Been a bona fide resident of and actually," so that as amended the bill would read:

No divorce shall be granted by the legislature, nor shall any divorce be granted by the courts of the Territory unless the applicant therefor shall have been a bona fide resident of and actually resided in the Territory for two years, etc.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 28, line 15, by adding after the word "have" the words "been a bona fide resident of and actually."

Mr. WILLIS. Mr. Chairman, will the gentleman please explain the effect of that amendment? How does it change the meaning of the statement as it appears in the bill?

Mr. RAKER. Mr. Chairman, a man may be a resident of a State and only be there in the year three or four weeks at a time. That has been one of the defects in the laws and the cause of so much trouble in States where they grant a divorce to a man where it is provided only that he shall be a resident.

Mr. WILLIS. In that case he will not have resided in the Territory for two years. The bill provides that he must have resided there for two years. How could he do that and not be a bona fide resident? The gentleman has simply taken the method of circumlocution to accomplish the same thing already provided for in the bill.

Mr. RAKER. Not at all. The language of the bill is:

Unless the applicant therefor shall have resided in the Territory for two years.

Mr. WILLIS. The bill says that he must have resided there for two years.

Mr. RAKER. That does not say that he shall have been an actual resident there during that time.

Mr. WILLIS. If a man resides in a place for two years is he not an actual resident for two years?

Mr. RAKER. Not necessarily.

Mr. WILLIS. Oh, vote!

Mr. RAKER. Mr. Chairman, it is all very well to say "Vote," but the courts have settled that question very distinctly in a number of cases. He may be a resident of the Territory, but where he is actually residing is another question. This makes it so that he must not only be a resident but he must be actually residing there in that Territory for two years.

Mr. GREEN of Iowa. Mr. Chairman, the gentleman from California is simply confusing the word "domicile" with the word "residence." That is all there is to it.

Mr. RAKER. Not at all.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Certainly.

Mr. MANN. The gentleman will notice that the bill does not say that he shall be a resident, but it says that the person shall reside there for two years.

Mr. RAKER. It does not say that, but it says "shall have resided."

Mr. MANN. Very well; "shall have resided." If that does not mean shall reside there, then I do not know what it does mean.

Mr. RAKER. Clearly, to me, it does not cover the question, and a man may go there and stay a couple of weeks and then go away for a month or two and come back, and though that will have been his residence, in contemplation of the law, under the use of the word, he will not have been an actual, bona fide resident actually residing there during all of two years' time. I want him to actually reside in the Territory as well as being a bona fide resident thereof. I am now residing here in Washington, but by no means a bona fide resident of the District of Columbia. I am here on business. The applicant for divorce should not be a resident of Alaska on business—that of getting a divorce—but should be a bona fide resident, actually residing in Alaska.

Mr. MANN. If a man resides at a place for two years, he is an actual resident, and he actually resides there. How the courts may construe it does not make any difference, and the gentleman's language will not change it at all. If he wants to make a man stay there all of the time for two years, he will have to use the word "continuously."

Mr. RAKER. I think this language means continuously, and that is the purpose of it.

Mr. FLOOD of Virginia. Mr. Chairman, I can not accept that amendment. I do not think a man or a woman ought to be denied the right of divorce because sometime during the two years that he was a resident of the Territory he happened to be out of Alaska. I do not think the language the gentleman proposes changes the section at all, but rather than have a debate I accepted it. I did not, however, mean to accept the word "continuously," and if that is the construction put upon it I think it ought to be voted down.

Mr. NYE. Mr. Chairman, there is this distinction which the gentleman's amendment would cover: A man might go to a place and actually live there for two years for the purpose of getting a divorce, but he would not be a bona fide resident for the purpose of divorce. I think that the term "bona fide" should go into the law relating to all divorce proceedings and should be essential.

Mr. BARTLETT. If the statute said that a man should actually reside in a place for two years, can it mean anything else except that he shall be a bona fide resident and actually live there?

Mr. NYE. Not if he goes there and lives for the purpose of getting a divorce, as they have done in some of the Northern States. He is not then a resident in good faith.

Mr. BARTLETT. Then he is not an actual resident.

Mr. NYE. It is not a residence that is sufficient for a divorce.

Mr. BARTLETT. The statute says he must have actually resided there for two years.

Mr. NYE. Oh, well, I think the gentleman understands my proposition.

Mr. BARLETT. I understand it.

Mr. NYE. A man may live in a State 10 years for the purpose of getting a divorce and not be a bona fide resident.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. RAKER) there were—ayes 7, noes 35.

So the amendment was rejected.

Mr. RODDENBERY. Mr. Chairman, I desire to offer an amendment. On page 28, in line 24, insert, after the word "be" and before the word "sold," the words "manufactured or."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 28, line 24, by inserting, after the word "be," the words "manufactured or."

Mr. RODDENBERY. Mr. Chairman, I do not care to discuss the amendment at length, but the report of the bill does not cover this amendment in any way, and I would like to have an expression——

Mr. FLOOD of Virginia. Mr. Chairman, I would like to say to the gentleman from Georgia that the committee accepts that amendment.

The question was taken, and the amendment was agreed to.

Mr. RODDENBERY. Mr. Chairman, I wish to move an amendment. On page 28, lines 24 and 25, strike out the following words:

Except under such regulations and restrictions as Congress shall provide.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 28, lines 24 and 25, by striking out the words "except under such regulations and restrictions as Congress shall provide."

Mr. FLOOD of Virginia. Mr. Chairman, I hope that amendment will be voted down. The people of Alaska want Congress to pass and the Federal officers to administer these laws, and they do not want to turn it over to the Territorial legislature.

Mr. RODDENBERY. Mr. Chairman, the object of this amendment was not designed to bring about the condition the distinguished chairman has suggested. The object of the amendment was to leave the Alaska act with a definite provision establishing prohibition in the Territory. The proposed act now reads: "Nor shall spirituous or intoxicating liquors be sold except under such regulations and restrictions as Congress shall provide." I am moving to strike out the words "except under such regulations and restrictions as Congress shall provide," so that it will leave the statute thus: "Nor shall spirituous or intoxicating liquors be manufactured or sold."

I recognize that although that were done it would be within the power of Congress hereafter to legislate if it saw fit, but the pending bill itself carries with it the implication that Congress will hereafter legislate upon the subject, and I merely desire to affect a straight prohibition law against the manufacture and sale of spirituous and intoxicating liquors in the District of Alaska.

Mr. FLOOD of Virginia. Mr. Chairman, I do not think the amendment would accomplish the result the gentleman has in view. The striking out of these words would not keep Congress from passing another law granting the right to sell and manufacture liquor up there. I think the bill as it stands is in the best form.

Mr. RODDENBERY. Will the gentleman accept an amendment to change the word "shall," on page 28, line 25, to the word "may"?

Mr. FLOOD of Virginia. Which line?

Mr. RODDENBERY. Line 25, the word "shall," where it first appears in line 25, and amend that by substituting therefor the word "may."

Mr. FLOOD of Virginia. "Except under such regulations and restrictions as Congress may provide"—oh, yes; I accept that.

Mr. RODDENBERY. I withdraw the original amendment—no; I do not withdraw the original amendment.

Mr. MANN. Let us have the amendment again reported.

The amendment was again reported.

Mr. RODDENBERY. The Clerk, Mr. Chairman, evidently misapprehends. I insist on the original amendment.

Mr. FLOOD of Virginia. What is the original amendment?

Mr. RODDENBERY. I move to strike out the clause "except under such regulations and restrictions as Congress shall provide."

Mr. FLOOD of Virginia. You want to strike that out entirely?

Mr. RODDENBERY. Entirely.

Mr. FLOOD of Virginia. Well, I would not want to accept it.

The CHAIRMAN. The Clerk will report, without objection, the original amendment.

The original amendment was again reported.

Mr. FLOOD of Virginia. There is no necessity of my accepting an amendment if the gentleman is going to insist upon his original amendment. I thought he was going to withdraw this.

Mr. RODDENBERY. I understand the gentleman's statement in no way binds him, because I am insisting on my original amendment.

Mr. FLOOD of Virginia. The situation comes up on the amendment of the gentleman from Georgia [Mr. RODDENBERY] providing that the words "except under such regulations and restrictions as Congress shall provide" be stricken out. The committee is opposed to striking the words out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. RODDENBERY].

The question was taken, and the amendment was rejected.

Mr. RODDENBERY. Mr. Chairman, I move to amend, page 28, line 25, by striking out the word "shall" where it first occurs in line 25 and substituting therefor the word "may."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 28, line 25, by striking out the word "shall," after the word "Congress," and insert in lieu thereof the word "may."

Mr. MANN. Mr. Chairman, I take it the only effect of changing "shall" to "may" there will make "may" relate to the future. I do not know what other effect it would have. If the intention is to only make it relate to future regulations of Congress it ought not to go in there, because we have now provided for the regulations and have provided restrictions which ought to be enforced, and I am sure the gentleman does not wish to change those regulations and restrictions by this act. And that is the only effect I can see of the gentleman's amendment.

Mr. FLOOD of Virginia. Mr. Chairman, my understanding of the amendment is that it really makes no change in the effect of the bill, not the slightest. The word "shall" and "may" would be considered to mean exactly the same thing. That is my understanding, Mr. Chairman, of what would be the effect of this amendment, and for that reason I agreed to accept it, but I would not like to throw any doubt on what the position of this law is, and, in view of the statement of the gentleman from Illinois [Mr. MANN], I think this ought to be voted down.

Mr. HOBSON. Mr. Chairman, will the gentleman from Georgia [Mr. RODDENBERY] yield, in order that I may ask a question of the gentleman from Illinois [Mr. MANN]?

Mr. RODDENBERY. I yield.

Mr. HOBSON. I want to ask the gentleman from Illinois if I understand him to say that there are now regulations in effect that would apply under this statute to the Territory of Alaska?

Mr. MANN. I understand there are very strict regulations passed by Congress in regard to the sale of intoxicating liquors in Alaska.

Mr. WICKERSHAM. And the whole matter is under charge of Congress and the departments.

Mr. RODDENBERY. The gentleman from Illinois [Mr. MANN] is precisely correct as to existing laws touching the sale of liquors in Alaska. The use of the word "may" here in its legal determination relates back just as much as the word "shall" would relate back. Neither the word "may" nor the word "shall" interferes with any proviso of the existing law. But the word "shall" in this connection may be obligatory and mandatory, while the word "may" would not be; so that if the word "may" is used it undoubtedly would relate back to the existing law, but would not declare in legal terms that it is the determined policy of Congress to continue present statutes or enact others permitting and regulating the sale of intoxicating liquors in Alaska. The word "may" will leave it wholly within the power of Congress as to continuing and administering the existing law and as to the enactment of any future or other law relative to that subject, but could not be construed as mandatory in its nature.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Georgia [Mr. RODDENBERY].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 10. Rules, quorum, and majority.—That the council and house of representatives shall each choose its own officers, determine the rules of its own proceedings not inconsistent with this act, and keep a journal of its proceedings; that the ayes and noes of the members of either house on any question shall, at the request of one-fifth of the members present, be entered on the journal; that a majority of the number of members to which each house is entitled shall constitute a quorum of such house for the conduct of ordinary business, of which quorum a majority vote shall suffice, but the final passage of a law in each house shall require the vote of a majority of all the members to which such house is entitled; that a smaller number than a quorum may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as each house may provide; that for the purpose of ascertaining whether there is a quorum present the presiding officer shall count the number of members present.

Mr. FOWLER and Mr. MANN rose.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN. Mr. Chairman, I move to strike out, on page 31, lines 1, 2, 3, and 4, commencing with the word "but" in line 1, the following:

But the final passage of a law in each house shall require the vote of a majority of all the members to which such house is entitled.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 1, strike out the word "but" at the end of the line, and all of lines 2 and 3, and the words "is entitled," on line 4.

Mr. MANN. The purpose of that amendment is not to change that requirement. That requirement is contained in section 13 in this language:

That a bill in order to become a law shall have three separate readings in each house, the final passage of which in each house shall be by a majority vote of all the members to which such house is entitled, taken by ayes and noes, and entered upon its journal.

That is where it requires that a bill shall pass by a majority vote in each house, which is precisely the same thing that was attempted to be covered the second time in this provision, although here it relates to a law instead of a bill.

Mr. FLOOD of Virginia. The gentleman from Illinois is correct about that provision. It is unnecessary there, and the amendment might just as well be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

Mr. FOWLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] offers an amendment, which the Clerk will read.

The Clerk read as follows:

Amend, page 31, line 9, after the word "count," by inserting the words "and report"; and in the same line, after the word "the," insert the word "actual."

Mr. FOWLER. Mr. Chairman, the object of this amendment is to require the presiding officer to count and report the actual number of members of the house who are present, so that the line would read, "officer shall count and report the actual number of members present."

Mr. McLAUGHLIN. Report to whom? To the President of the United States?

Mr. FOWLER. No. When the question of no quorum is raised by any member the presiding officer might look over the house and count a portion of the number, or he might count more than is present, and decide that a quorum is present, when really a quorum is not present. This amendment seeks to compel the speaker to give a fair and correct count of all members present when the question of a quorum is raised, and to compel him to report from the chair the exact number of members present after he makes his count.

Now, Mr. Chairman, I have been in the legislature of my own State, wherein I have seen the presiding officer, who had the power, scan the number of votes and count for a quorum, and declare a quorum present when there was not a half or a third of a quorum present. The object of this amendment is to get the actual number who were present counted and reported.

Mr. FLOOD of Virginia. I accept the amendment, Mr. Chairman.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 11. Legislator shall not hold other office.—That no member of the legislature shall hold or be appointed to any office which has been created, or the salary or emoluments of which have been increased, while he was a member, during the term for which he was elected and for one year after the expiration of such term; and no person holding a commission or appointment under the United States shall be a member of the legislature or shall hold any office under the government of said Territory.

Mr. MANN. Mr. Chairman, I ask that the word "Territory" may be properly spelled at the end of line 18.

The CHAIRMAN. The Clerk will report the amendment.

Mr. FOWLER. Mr. Chairman, I desire to ask the gentleman a question regarding the spelling of that word. Is it not the duty of the engrossing and enrolling clerk properly to spell the word when the bill is engrossed? [Laughter.]

Mr. MANN. It may be that the engrossing clerk will do that. I do not know. I know that the printer made a mistake in spelling this word. I suppose it could be corrected without attracting the attention of the House. It may be that some gentlemen in the House do not know that the word is misspelled. [Laughter.]

The CHAIRMAN. The Clerk will make the proper correction. The Clerk will read.

The Clerk read as follows:

SEC. 14. The veto power.—That, except as herein provided, all bills passed by the legislature shall, in order to be valid, be signed by the governor. That every bill which shall have passed the legislature shall be certified by the presiding officers and clerks of both houses, and shall thereupon be presented to the governor. If he approves it, he shall sign it and it shall become a law. If the governor does not approve such bill, he may return it, with his objections, to the legislature. He may veto any specific item or items in any bill which appropriates money for specific purposes, but shall veto other bills, if at all, only as a whole. That upon the receipt of a veto message from the governor each house of the legislature shall enter the same at large upon its journal and proceed to reconsider such bill or part of a bill and again vote upon it by ayes and noes, which shall be entered upon its journal. If, after such reconsideration, such bill or part of a bill shall be approved by a two-thirds vote of all the members to which each house is entitled, it shall thereby become a law. That if the governor neither signs nor vetoes a bill within three days after it is delivered to him it shall become a law without his signature, unless the legislature adjourns sine die prior to the expiration of such three days. If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislature, by their adjournment, prevents its return, in which case it shall not be a law.

Mr. MANN. Mr. Chairman, I move to amend, page 33, line 8, by inserting, after the word "days," at the end of the line, in parentheses, the words "Sundays excepted."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Amend, page 33, line 8, by inserting at the end of the line, after the word "days," in parentheses, the words "Sundays excepted."

Mr. MANN. That makes it conform to the provision in the latter part of the section, and it is necessary for that purpose.

Mr. FLOOD of Virginia. I accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

Mr. FOWLER. Mr. Chairman, on page 33, line 8, after the word "within," strike out the word "three" and insert the word "ten."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The Clerk read as follows:

Amend, page 33, line 8, after the word "within," by striking out the word "three" and inserting the word "ten."

Mr. FOWLER. Mr. Chairman, it strikes me that three days for a governor to examine bills is a very short time for him to make up his mind as to whether the provisions thereof are salutary or not. It looks to me as though the number of days is too short. There ought to be at least 10 days, and my recollection is, Mr. Chairman, that that is the number of days that are usually given in the various States, especially those that I am acquainted with.

In my own State of Illinois, as I recall it, 10 days are accorded to the governor for the purpose of inspecting and examining bills that have been submitted to him after they pass both branches of the legislature. To confine it to three days would, in my opinion, be unwise, because it would not give the governor an opportunity to examine a great number of bills that might be rushed to him in the closing days of the session, as is very common, among which bad bills might become laws and good bills might be vetoed because of a lack of time to make the proper examination. I hope that the amendment may pass.

Mr. MANN. Mr. Chairman, I am very much inclined to agree with my colleague, but I wish the committee had provided here for the governor having a right to veto a bill after the adjournment of the session of the legislature. It seems to me that is quite important where the session of the legislature is limited to 60 days. As we all know, a large proportion of the bills in any legislative body are passed toward the wind-up, and necessarily so. There is no other way for bills in conference to become laws, as a rule, and, in my judgment, the executive ought to have the right to sign or veto an appropriation bill or other bill after the legislature adjourns. If the legislature want to obviate that, they can pass the bills earlier in the session. I think the provision which I suggest is the law in most States, is it not?

Mr. FLOOD of Virginia. Oh, no; it is not the law in any State with which I am familiar.

Mr. MANN. It is the law in a great many States, and it works admirably. We know how it is here in this Congress. Nearly half the printed volumes of published laws of the United States passed at the short session of Congress bear date of March 3, and the President is called upon to sign a large number of bills in the last moments of Congress. The President has his Cabinet officers here, with a corps of men watching every bill that is likely to be passed to report upon it to him; but the governor of the Territory can not have that assistance, and if he does not sign a bill before the legislature adjourns it does

not become a law, and there is no way of making it become a law. It seems to me it is desirable to give the governor the authority to sign a bill after the adjournment of the 60-day session of the legislature.

Mr. FLOOD of Virginia. Mr. Chairman, I think the provision suggested by the gentleman from Illinois [Mr. FOWLER], as supplemented by the other gentleman from Illinois [Mr. MANN], is certainly not wise. Ten days is too long a time to give the governor to hold a bill. All of us who are familiar with the workings of State legislatures know that some of the most important measures are passed during the last 10 days of a session. In fact, where the legislative session is limited to 60 days the most important measures generally come up during the last 10 days. This amendment would put it in the power of the governor to hold such bills for 10 days, or until the legislature adjourned, and deprive the legislature of the power of passing bills over the governor's veto; and if the further suggestion of the gentleman from Illinois [Mr. MANN] is carried out—that the governor be permitted to wait until the legislature adjourns and then veto the bills—it seems to me you had just as well not give Alaska a legislature. Ever since we have owned that Territory we have governed it by carpetbaggers. They pick up men here and send them there who have not the interest in the Territory that a resident has and make him the governor. That is true of the governor as well as other officials. Now we are passing a bill that allows these people to elect a legislature of residents of Alaska, but the governor may still be a nonresident. He still may be appointed by the President from Washington City or elsewhere, and may not have at heart the real interest or desire the development of this Territory.

We purchased Alaska 45 years ago, and in the contract of purchase we solemnly agreed to admit the civilized people of that Territory to the enjoyment of all the rights, advantages, and immunities of citizens of the United States. During all of these years that compact has been ignored; for 45 years the civilized people of Alaska and 35,000 other American citizens who have joined them have been governed, when governed at all, by carpetbaggers, and now that a semblance of self-government is being provided for, these amendments are offered, which, if adopted, will leave the legislature powerless in the hands of a governor appointed from Washington. They ought not to be put in this bill.

Mr. MANN. Will the gentleman yield?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. The gentleman spoke of my proposing to give the governor the right to veto a bill after the legislature adjourned. Of course, in a way, the gentleman is correct, but what I want to give the governor is the right to sign a bill after the legislature adjourns. He has the right of pocket veto now, without either signing or vetoing.

Mr. FLOOD of Virginia. That is my objection to the 10 days. If he has to sign a bill or veto it within three days, the handicap to the legislature is not as great.

Mr. MANN. I know, but whatever time is fixed he can exercise his pocket veto during that time. If he does not want to sign a bill that is passed in the last three days before the end of the legislative session, he does not have to do anything about it. The bill does not become a law. He is not required to veto it.

Mr. FLOOD of Virginia. That may be a misfortune of the legislature of Alaska, but we have limited it to three days, and he can only impose a pocket veto on the legislation of the last three days. The amendment of the gentleman from Illinois would give the governor 10 days in which to do that. The subjects of legislation in Alaska are not so very numerous, but all of us know, because every man probably has had to do with short sessions of State legislatures, that they do crowd the most important business of the session into the last few weeks.

Mr. FOWLER. That being the fact, can the governor pass intelligently on those bills to give his approval or disapproval of them?

Mr. MADDEN. Will the gentleman yield?

Mr. FLOOD of Virginia. Yes.

Mr. MADDEN. The statement of the gentleman from Virginia, to the effect that the most important legislation is crowded into the last two or three days, is the best argument for giving the governor the right to sign or veto a bill after the adjournment. He ought to have time to consider the bills. He is not a member of the legislature. How are you going to get him to consider, before adjournment, 50 bills handed to him at the last minute?

Mr. FLOOD of Virginia. The governor is a part of the legislative department of the State. If he has attended to the duties of his office he knows the important measures that are pending before the legislature. Every governor knows the important measures that are to come to him. If he is attending to his duties he will follow the discussion of these measures, first in one house and then in the other, and will have ample time to digest the provisions of the bills and know whether he wishes to sign or veto them. Besides, there will not be the rush in legislation in Alaska that there is in the State legislatures. There is going to be a good deal of legislation of a local character, but not so much as we have in State legislatures.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. FLOOD of Virginia. Certainly.

Mr. TAYLOR of Colorado. Is it not true that the governor is confined to the executive branch of the government, and can not, and does not, follow the discussion of the bills, and could not be expected to follow them like members do?

Mr. FLOOD of Virginia. I did not say that he was expected to know them as members do, but a governor who is at all mindful of his duty keeps up with the discussions of important matters in the two bodies, and knows the important measures that are pending before the two bodies, and when they come to him knows pretty well what they contain.

Mr. TAYLOR of Colorado. But is it not better to give him a chance to consider them and prevent hasty legislation?

Mr. FLOOD of Virginia. We do give him a chance; we give him three days to consider bills after they come to him.

Mr. AINEY. Will the gentleman yield?

Mr. FLOOD of Virginia. I will.

Mr. AINEY. In view of the last statement that the governor has three days, I would like to ask the gentleman's construction of the bill. Suppose a measure passes the house the last day that the legislature is in session?

Mr. FLOOD of Virginia. Well, I suppose the governor would have to do as the President of the United States does, be at the Capitol and sign the bills as they are passed.

Mr. AINEY. Suppose it required the governor to take some time for examination, what becomes of the bill?

Mr. FLOOD of Virginia. The governor has a right to veto it. If he is not willing to sign a bill, he has a right to veto it. I think it would be much wiser that the governor should veto important measures at times than that a governor not elected by the people should be intrusted with the power of signing and vetoing acts after the legislature has adjourned, and especially of vetoing them when the legislature would have no chance of passing them over his veto.

I do not think this amendment would be objectionable where the governor was elected by the people and was answerable to the people, but I would never vest such power in a governor responsible only to an appointing power thousands of miles away from the Territory whose chief executive he is.

Mr. WICKERSHAM. Mr. Chairman, I want to call the attention of the House to the fact that under the statutes of the United States, as they now exist, this is the law applicable to all of the organized Territories. As I remember, the statutes of 1878, section 1842, is substantially in these same words. It is also the law in Idaho, Nebraska, Kansas, Minnesota, Montana; exactly this same provision prevails in these States. If the gentleman from Illinois has the statute I wish he would read it.

Mr. MANN. As to the time, section 1842 of the Revised Statutes, among other things, provides as follows:

> If any bill is not returned by the governor within three days, Sundays excluded, except in Washington and Wyoming, where the term is five days, Sundays excluded, after it has been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislative assembly, by adjournment sine die prevents its return, in which case it shall not be the law.

That does not apply to Utah or Arizona.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

Mr. FOWLER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

> On page 32, line 8, strike out the word "three" after the word "within" and insert the word "five."

Mr. FOWLER. Mr. Chairman, if that amendment is agreed to I propose to offer amendments in two other instances, to make the section correspond to that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. FOWLER) there were—ayes 35 and noes 44.

So the amendment was rejected.

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and Mr. FINLEY having taken the chair as Speaker pro tempore, a message, in writing, from

the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved signed bills of the following titles:

On April 15, 1912:

H. R. 18661. An act to provide for an extension of time of payment of all unpaid payments due from homesteaders on the Coeur d'Alene Indian Reservation, as provided for under an act of Congress approved June 21, 1906; and

H. R. 20190. An act to extend the time for the construction of a dam across Rock River, Ill.

On April 16, 1912:

H. R. 23246. An act appropriating $300,000 for the purpose of maintaining and protecting against the impending flood the levees on the Mississippi River and rivers tributary thereto.

On April 18, 1912:

H. R. 9420. An act authorizing the Secretary of War to donate to the city of Jackson, Miss., carriage and cannon or field-pieces; and

H. R. 20486. An act authorizing the construction of a bridge across the Willamette River at or near Newberg, Oreg.

On April 22, 1912:

H. R. 19638. An act to authorize the San Antonio, Rockport & Mexican Railway Co. to construct a bridge across the Morris and Cummings Channel;

H. R. 20117. An act to authorize the Nebraska-Iowa Interstate Bridge Co. to construct a bridge across the Missouri River near Bellevue, Nebr.; and

H. R. 21821. An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa.

On April 24, 1912:

H. R. 16306. An act to provide for the use of the American National Red Cross in aid of the land and naval forces in time of actual or threatened war.

LEGISLATURE FOR ALASKA.

The committee resumed its session.

Mr. WILLIS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

In line 15, page 33, strike out the word "their" and insert the word "its"; strike out "its," after the word "prevents," and insert in lieu thereof the word "the"; and after the word "return" insert the words "of the bill."

Mr. WILLIS. Mr. Chairman, it is quite evident that the English of this line is not perfect, and the object of the amendment is to put it in proper form.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 15. Payment of legislative expenses.—That upon an estimate to be made by the Secretary of the Treasury of the United States, there shall be annually appropriated by Congress a sum sufficient to pay the salaries of members and authorized employees of the legislature of Alaska, the printing of the laws, and other incidental expenses thereof; the said sums shall be disbursed by the governor of Alaska, under sole instructions from the Secretary of the Treasury, and he shall account quarterly to the Secretary for the manner in which the said funds shall have been expended; and no expenditure, to be paid out of money appropriated by Congress, shall be made by the governor or by the legislature for objects not specially authorized by the acts of Congress making the appropriations, nor beyond the sums thus appropriated for such objects.

Mr. MANN. Mr. Chairman, I move to strike out, page 33, lines 18 and 19, the words "upon an estimate to be made by the Secretary of the Treasury of the United States."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 33, lines 18 and 19, by striking out the words "upon an estimate to be made by the Secretary of the Treasury of the United States."

Mr. MANN. Mr. Chairman, the Secretary will make an estimate in any event. The general law requires it. I do not think that Congress ought to tie its hands so that the House can not amend an appropriation bill, as this would provide. It is the same thing to which I called attention some time ago.

Mr. FLOOD of Virginia. Is not this different from that to which the gentleman called attention?

Mr. MANN. We adopted an amendment awhile ago about this.

Mr. WICKERSHAM. Will the Secretary make the estimate anyway?

Mr. MANN. The Secretary under the general law is required to make an estimate of everything, but this would restrict the power of Congress to make the appropriation to the estimate made by the Secretary.

Mr. FLOOD of Virginia. And the gentleman desires to strike out down to and including the words "United States"?

Mr. MANN. Yes; so as to make it read "That there shall be annually appropriated by Congress," and so forth.

Mr. FLOOD of Virginia. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANN. Mr. Chairman, in this section it is provided—

There shall be annually appropriated by Congress a sum sufficient to pay the salaries of members and authorized employees of the Legislature of Alaska, etc., and no expenditure to be paid out of money appropriated by Congress shall be made by the governor or by the legislature for objects not specially authorized by the act of Congress making the appropriations.

That is, no money can be expended unless it is specially authorized by the act of Congress making the appropriations. It seems to me that if there is authorization by the act of Congress that is sufficient, and that that authorization might be general and not special.

Mr. WICKERSHAM. Mr. Chairman, I agree with the gentleman about that.

Mr. MANN. The gentleman might find himself in a very bad box. Mr. Chairman, I move to strike out, in line 4, page 34, the word "specially."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 4, strike out the word "specially."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 16. Laws transmitted to President and printed.—That the governor of Alaska shall, within 90 days after the close of each session of the Legislature of the Territory of Alaska, transmit a correct copy of all the laws and joint resolutions passed by the said legislature, certified to by the chief clerk of each house and by the secretary of the Territory, with the seal of the Territory attached; one copy to the President of the United States and one each to the President of the United States Senate, the Speaker of the House of Representatives, and to the Secretary of State of the United States; and the legislature shall make provision for printing the session laws and joint resolutions within 90 days after the close of each session and for their distribution to public officials and sale to the people of the Territory.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This section contains a provision requiring the transmission of a copy of the laws certified to the President of the Senate and the Speaker of the House of Representatives. That conforms with the general law upon the subject of the legislatures of Territories. This bill also contains, in section 17, a requirement that the President shall submit all of the laws of the Territory to Congress. There can be no earthly reason for requiring the secretary of the Territory to send a copy of the laws to both Houses of Congress and also requiring the President to transmit a copy of the same laws to Congress. It only cumbers up everybody's record. I suggest to the gentleman that the provision ought not to be in both places.

Mr. FLOOD of Virginia. The gentleman might offer an amendment to strike out that provision in section 16.

Mr. MANN. Mr. Chairman, I offer to amend, in section 16, by striking out that language in lines 14, 15, and 16.

Mr. FLOOD of Virginia. I will accept such an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, lines 14, 15, and 16, strike out the words: "And one each to the President of the United States Senate, the Speaker of the House of Representatives."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. WICKERSHAM. Mr. Chairman, I call the attention of the committee to the words "chief clerk of each house," in the twelfth line, requiring the certification of the chief clerk of each house, and the gentleman from Illinois called attention to that a while ago and thought it ought to be amended.

Mr. MANN. It is certified to by the clerk of the Territory.

Mr. WICKERSHAM. I think that is sufficient, and I move to strike out the words, in line 12, on page 34, "the chief clerk of each house and."

Mr. MANN. "The chief clerk of each house and by."

Mr. WICKERSHAM. The words "the chief clerk of each house and by."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 12, strike out the words "the chief clerk of each house and by."

Mr. WICKERSHAM. So the certification will only need to be made by the secretary of the Territory.

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Chairman, I move to insert, in line 16, after the word "and," the word "one," so as to provide for one copy.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 16, page 34, after the word "and," insert the word "one."

The question was taken, and the amendment was agreed to.

The Clerk resumed and concluded the reading of the bill.

Mr. BUTLER. Mr. Chairman, I would like to ask the gentleman from Virginia a question. By this section Congress has the power to nullify any act passed by this Territorial legislature?

Mr. FLOOD of Virginia. Yes.

Mr. BUTLER. Congress may, as I understand, at any time in the future annul any of these acts. Did the Committee on Territories consider the wisdom of inserting a limitation or a date after which these laws may not be annulled? It may not be fair to the Territory to annul a law 5, 6, 7, 8, or 10 years after it has been passed, as rights may have been acquired in the meantime.

Mr. FLOOD of Virginia. The committee did not consider that. The committee incorporated in this bill the usual provisions in Territorial organic acts. I do not agree with the gentleman about the wisdom of putting a limitation on it. If five or six years after the law is enacted Congress reaches the conclusion that it is an unwise law, I do not see why Congress should not annul it. Under similar circumstances Congress would repeal one of its own laws.

Mr. BUTLER. I agree with the gentleman as far as the rights or privileges of Congress are concerned, but it may not be as far as the rights of the people of the Territory are concerned, and it seems to me it might not be just to the people of the Territory to annul a law years after rights may have been acquired under the Territorial laws.

Mr. FLOOD of Virginia. It simply means the repeal of the law. If Congress has allowed a law to go along and it has been in effect five or six years and then Congress decides to annul it, it would do so just as it would repeal a law with reference to the affairs of this country.

Mr. BUTLER. What about the rights that may have been acquired in the meantime under the Territorial law?

Mr. FLOOD of Virginia. You can not pass a law that will impair the rights of the kind of which the gentleman speaks.

Mr. BUTLER. That may or may not be so. Now, would not this be against the development of the Territory where men have acquired rights and privileges under the Territorial act?

Mr. FLOOD of Virginia. I take it, Mr. Chairman, if that is the case, Congress in the disapproval of the law, which will amount to its repeal, would take into consideration any rights that have been acquired while it permitted that law to be upon the statute books of Alaska.

Mr. BUTLER. I presume the committee and the gentleman from Alaska have considered it with a great degree of care and secured to the people of the Territory full opportunity to make their development.

Mr. MANN. If the gentleman will permit a suggestion, I would suggest that this does not add to or detract in the slightest degree from the power of Congress. We can nullify any law passed by the local legislature of Alaska, whether we have such a provision in this bill or not. That is not all. We are not bound by the provisions of the Constitution against impairing obligations and contracts. We have that right and having the right we exercise very diligently the right not to do it.

Mr. FLOOD of Virginia. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be adopted and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CLINE, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 38) to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes, and had directed him to report the same to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FLOOD of Virginia, a motion to reconsider the vote by which the bill was passed was laid on the table.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5874. An act to increase the limit of cost for the erection and completion of the United States post-office building at Albany, Oreg.; to the Committee on Public Buildings and Grounds.

S. 5877. An act to increase the limit of cost for the erection and completion of the post-office building at The Dalles, Oreg.; to the Committee on Public Buildings and Grounds.

S. 15. An act for the relief of the North American Transportation & Trading Co.; to the Committee on Claims.

S. 998. An act for the relief of Henry G. Roetzel and Paul Chipman; to the Committee on Claims.

S. 2751. An act providing for the erection of a post-office building at Hastings, Mich.; to the Committee on Public Buildings and Grounds.

S. 1911. An act for the relief of James R. Brown; to the Committee on Claims.

S. 5462. An act for the relief of Mary C. Mayers; to the Committee on Claims.

S. 5008. An act for the relief of the estate of Emily A. Auten and others; to the Committee on Claims.

S. 5810. An act for the relief of the estate of Andrew C. Nash; to the Committee on Claims.

S. 6084. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

S. 409. An act to provide for the erection of a public building in the city of Redfield, S. Dak.; to the Committee on Public Buildings and Grounds.

S. 5910. An act granting to the city of Portland, Oreg., certain strips of land from the post-office and customhouse sites in said city for street purposes; to the Committee on Public Buildings and Grounds.

S. 4113. An act for the relief of Isaac J. Reese; to the Committee on Military Affairs.

S. 1484. An act for the relief of Ferdinand Tobe; to the Committee on Military Affairs.

S. 6001. An act providing for gas buoys and other aids to navigation in the channels leading to Baltimore, Md.; to the Committee on Interstate and Foreign Commerce.

S. 6096. An act to amend subchapter 2, chapter 19, of the Code of Law for the District of Columbia, by providing a penalty for omission to return library property in the District of Columbia; to the Committee on the District of Columbia.

S. 4850. An act to establish on the coast of the Pacific States a station for the investigation of problems connected with the marine fishery interests of that region; to the Committee on the Merchant Marine and Fisheries.

S. 239. An act to establish a fish-cultural station in the State of Alabama; to the Committee on the Merchant Marine and Fisheries.

S. 90. An act to establish a fish-cultural station in the State of Colorado; to the Committee on the Merchant Marine and Fisheries.

S. 142. An act to establish a fish-cultural station in the State of Idaho; to the Committee on the Merchant Marine and Fisheries.

S. 263. An act to establish a fish-cultural station in the State of Minnesota; to the Committee on the Merchant Marine and Fisheries.

S. 4757. An act to establish a fish-cultural station in the State of Nevada; to the Committee on the Merchant Marine and Fisheries.

S. 231. An act to establish a fish-cultural station in the State of North Dakota; to the Committee on the Merchant Marine and Fisheries.

S. 423. An act to establish a fish-cultural station in the State of Utah; to the Committee on the Merchant Marine and Fisheries.

S. 5883. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak., by the Yankton, Norfolk & Southern Railroad Co.; to the Committee on Interstate and Foreign Commerce.

S. 5882. An act to extend the time for the completion of a bridge across the Missouri River at or near Yankton, S. Dak., by the Winnipeg, Yankton & Gulf Railroad Co.; to the Committee on Interstate and Foreign Commerce.

S. 1569. An act to establish a fish-cultural station in the State of North Carolina; to the Committee on the Merchant Marine and Fisheries.

S. 186. An act to correct the military record of Francis Grinstead, alias Francis M. Grinstead; to the Committee on Military Affairs.

S. 4862. An act authorizing and directing the Secretary of the Interior to investigate and settle certain accounts, and for other purposes; to the Committee on Irrigation of Arid Lands.

S. 6340. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 6369. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

S. 6161. An act to authorize the Great Northern Railway Co. to construct a bridge across the Yellowstone River, in the county of Dawson, State of Montana; to the Committee on Interstate and Foreign Commerce.

S. 6167. An act to authorize the Williamson & Pond Creek Railroad Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near Williamson, Mingo County, W. Va.; to the Committee on Interstate and Foreign Commerce.

S. 6160. An act to authorize the Great Northern Railway Co. to construct a bridge across the Missouri River in the State of North Dakota; to the Committee on Interstate and Foreign Commerce.

S. 6384. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and to certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 5776. An act authorizing the Secretary of the Interior to adjust and settle the claims of the attorney of record involving certain Indian allotments, and for other purposes; to the Committee on Indian Affairs.

S. 3975. An act to acquire a site for a public building at Monte Vista, Colo.; to the Committee on Public Buildings and Grounds.

S. 389. An act to authorize the acquisition of a site and the erection of a Federal building at Fallon, Nev.; to the Committee on Public Buildings and Grounds.

S. 6177. An act for the purchase of a site and erection of a Federal building at Cambridge, Md.; to the Committee on Public Buildings and Grounds.

S. 392. An act to authorize the acquisition of a site and the erection of a Federal building at Winnemucca, Nev.; to the Committee on Public Buildings and Grounds.

S. 80. An act to acquire a site for a public building at Glenwood Springs, Colo.; to the Committee on Public Buildings and Grounds.

S. 4479. An act to provide for the erection of a public building at Mount Carmel, Ill.; to the Committee on Public Buildings and Grounds.

S. 6095. An act to increase the limit of cost for the erection and completion of the United States post office and courthouse building on a site already acquired and possessed at Brattleboro, Vt.; to the Committee on Public Buildings and Grounds.

S. 5962. An act to increase the limit of cost of the addition to the site of the Federal building at Utica, N. Y.; to the Committee on Public Buildings and Grounds.

S. 6252. An act to relinquish the title of the United States to certain property in the city and county of San Francisco, Cal.; to the Committee on Public Buildings and Grounds.

S. 4153. An act for the relief of the estate of Alton R. Dalrymple; to the Committee on Claims.

S. 4186. An act for the relief of the estates of Milton T. Carey and others; to the Committee on Claims.

S. 4208. An act for the relief of the estates of Edward Christie and Louis Feldman; to the Committee on Claims.

S. 4564. An act for the relief of the estate of Maurice T. Smith and Ella P. Williams; to the Committee on Claims.

S. 4661. An act for the relief of the estate of T. B. Cowan and others; to the Committee on Claims.

S. 4960. An act to erect a public building in the city of Vancouver, in the State of Washington; to the Committee on Public Buildings and Grounds.

S. 3625. An act for the purchase or construction of a launch for the customs service at and in the vicinity of Los Angeles, Cal.; to the Committee on Interstate and Foreign Commerce.

S. 5606. An act to provide for repairs and improvements at the lighthouse depot and headquarters, San Juan, P. R.; to the Committee on Interstate and Foreign Commerce.

S. 4985. An act to provide for the purchase of a site and for the erection of a public building thereon at Klamath Falls, Oreg.; to the Committee on Public Buildings and Grounds.

S. 4128. An act for the relief of the estates of Frances M. Stuart and William H. Bush; to the Committee on Claims.

S. 5272. An act appropriating $55,000 for the protection of Valdez, Alaska, from glacial floods; to the Committee on Appropriations.

ENROLLED BILLS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 21170. An act granting to the El Paso & Southwestern Railroad Co., a corporation organized and existing under the laws of the Territory and State of Arizona, a right of way through the Fort Huachuca Military Reservation, in the State of Arizona, and authorizing said corporation and its successors or assigns to construct and operate a railway through said Fort Huachuca Military Reservation, and for other purposes; and

H. R. 22642. An act providing for the protection of the interests of the United States in lands and waters comprising any part of the Potomac River, the Anacostia River, or Eastern Branch, and Rock Creek and lands adjacent thereto.

LEAVE OF ABSENCE.

Mr. NEEDHAM, by unanimous consent, was granted leave of absence for one week, on account of illness.

THIRD PRESIDENTIAL TERM.

Mr. SLAYDEN. Mr. Speaker, I ask unanimous consent to print in the RECORD an editorial on some chapters of political history in this country to-day, which is an editorial of unusual and historic interest.

Mr. MANN. Let the gentleman advertise a part of it and let us know what paper it appeared in.

Mr. SLAYDEN. It appeared in the Courier Journal of April 23, and is called: The First Assault and Repulse of Third Termism—A chapter of half-forgotten history.

The SPEAKER. The gentleman from Texas [Mr. SLAYDEN] asks unanimous consent to print in the CONGRESSIONAL RECORD a certain editorial from the Louisville Courier Journal of April 23. Is there objection?

There was no objection.

The following is the article above referred to:

"THE FIRST ASSAULT AND REPULSE OF THIRD TERMISM—A CHAPTER OF HALF-FORGOTTEN HISTORY.

"I.

"Thrice since the close of the War of Sections—which strained the timbers of the ship of state and for a time put the Constitution out of line—has our representative system of checks and balances perilously approached the rocks of revolution—first, in 1867, when it was proposed to Mexicanize the Government by impeaching and removing Andrew Johnson, a President out of favor with the radical majority in Congress; second, in 1876, when, having centralized in its own hands what it believed sufficient power at Washington, a party beaten in the preceding national election contrived to defeat the will of the people and to seat in office a President who had just been rejected at the polls; and thirdly, in 1880, when a puissant and imposing body of public men, led by Roscoe Conkling, proposed to return Gen. Grant for a third term to the White House, presaging life tenure under the rule of the Man on Horseback.

"Seven self-sacrificing Senators saved us from the first of these dangers; the patriotic submission of the Democrats to the Electoral Tribunal from the second; and a majority of the national Republican convention, which turned down Grant and nominated Garfield, from the last.

"The country is now menaced with a fourth assault upon its integrity and intelligence by the scheme to nominate and elect Theodore Roosevelt to the Chief Magistracy upon a platform of revolution yet more drastic than any ever framed outside of anarchism, the pretext being that none other can be trusted safely and surely to lead the people away from a thralldom of their own creation, and to rescue liberty from a bondage which, whilst he was President, he did much to strengthen, in order that he may purify and return their own to a body of freemen from whom it has never for a moment departed.

"Third termism implies not merely life tenure. It means the centralization of power and its consolidation in the fewest hands. Aiming at autocracy, absolutism, and self-perpetuation, it sets itself against the principles and underpinning of all our institutions. If there were no tradition to oppose and resist its pretensions, however plausible, its very nature, quality, and argument should be sufficient to expose and defeat it. All the framers of our Federal fabric strove to limit its power. They sought to accomplish this by a just distribution of power. The simple distribution of power was to work its limitation. The Roosevelt teaching and purpose is the rescinding of this, and in that character it is a subversion not less treasonable in spirit

and unpatriotic at heart because it puts on the habiliments of reform to masquerade as a progressive.

"The Courier-Journal, which has lived through and seen the country survive the first three of these historic episodes, meets the fourth with composure, confident that, under the all-seeing and benign dispensation of Providence, we shall come through with the drums of liberty beating and the colors of the law flying, the ark and the covenant of the Constitution intact. In nowise did we quail before the power and glory of Grant. We are undismayed by the genius and audacity of Roosevelt. We still believe in the virtue and intelligence of the people. We are sure that now, as before, the result will vindicate the truth, and, in preserving the Republic, 'justify the ways of God to men.'

"II.

"The Courier-Journal of May 11, 1874, printed the following letter from the National Capital. There had been some buzzing about Grant as a would-be Cæsar during the campaigns of 1868 and 1872. But the thought did not take serious hold and had quieted down after his second election. It had never much impressed the writer of this letter. How he came to write it and from whom he got the information and inspiration, since it made a prodigious stir at the time, may be of present interest as relevant to the immediate political situation. The letter was modestly printed without headlines or any attempt at display. We lift it bodily from an inside page, as follows:

"THE POLITICAL OUTLOOK.

"WASHINGTON, *May 9, 1874.*

"It is generally conceded here that the inflation balloon has collapsed and with it two or three presidential aspirants. The veto did certainly cook the goose of the Senator from Indiana, and from all appearances was so designed by the ingenious gentleman who put his name to it. Say what you will of Grant, that he is an offense to the crusaders and the grammarians, that he is a whirligig employed by the gods to bring in their revenges, it can not be denied that there has been method in his operations, both political and military.

"I have a memory that the Courier-Journal used to observe, in its unreflecting, facetious way, that there was danger that he might never be got out of the White House except upon a stretcher. Well, this silly conceit, in a rather milder form, begins to obtain something like credence here It is now believed in Washington, soberly and by the coolest-headed men, that Grant contemplates a third term, and that he does not reckon without his host.

"I confess that I think he has more than that in mind. When I look backward into the origin, course, and tenor of his administration, how he played with parties before he became President, and how he has played with the politicians since, when, rather bewildered if not awestruck, I reflect upon the make-up of his Cabinet; when I consider the cool way he disposed of Morton and the smooth way he would dispose of Washburne; when I see his equipage rolling through the streets in a defiant, regal style, as if unused to the simplicity of a republican court, and am told that his private habits are equally defiant; and, impressed by these things, when I remember that nobody is shocked or alarmed, I can work out in my mind no other result as the natural, the inevitable purpose of his mind than that sort of personal government to which Prince Louis Napoleon addressed himself after his elevation in 1848 to the Chief Magistracy of the French Republic.

"And why not? What is to prevent him, and who? Look at the state of parties. There are in the Republican Party but two considerable men remaining on the scene as presidential possibilities—Blaine and Washburne. The veto killed Morton as dead as a doornail. It set Logan back a thousand years. Conkling is not in Grant's way. He and Grant have made a league, offensive and defensive. If Washburne comes home and goes into the Cabinet, that will be the end of him. Blaine is a man of extraordinary energy and spring—by odds the brightest man in Congress—but with a divided party what show will he have?

"Cross we over to the Democratic Party. It is not only divided, but it has not one single leader of real genius and nerve. Thurman is a solemn respectability, cold and virtuous. Hendricks is but an amiable commonplace.

"The Grangers come in between the two parties. They are merely slate smashers. They embrace only a class, are sectional and visionary. The straight Liberals are scattered. The South is a cipher. It is helpless, demoralized, in a condition to sell out or be crushed out.

"Thus behold the opportunity and the man; a dismal prospect indeed, but a real and dangerous prospect.

"The late Arkansas outrage is grist to Grant. Instead of injuring his administration it adds to his individual strength and prestige. It contributes to the complexities of the situation. It arouses and augments popular discontent. Strangely enough, there is little disposition to hold him responsible for such occurrences as, under his sanction and through his agents, have disgraced the whole country in the various Southern States. They only render it the easier for him to solidify the North and overcome the South.

"Thus matters stand at the present moment. Grant is the central figure. The Democrats are just strong enough to lose. The Grangers are just weak enough to sit in the game. The Liberals are neither strong enough nor weak enough to count, except as idealists. Everything seems to favor Grant. No matter what is done, it leans Grantward. If the presidential election should come off this year, nothing could keep him from a third term, and elected for a third term, the Courier-Journal's stretcher will be the last resort of the impracticables. They will not be able to compass his overthrow by the old peaceful means. A third term means revolution, and Grantism and revolution are synonymous. They imply the same thing. They are convertible terms.

"Enough of this, however. I scribble down a few stray thoughts which come to me between the sherry and the champagne, none the less serious for the wine, believe me. It makes a southern man of liberal ideas and good intentions, schooled in the dangerous field of practical revolution, sick at heart to contemplate the indurated spirit of the North in Congress. Take any or all of the leaders and then turn to the rank and file of adventurers, Democratic and Republican, who are crowding the scene and playing for all in sight, and one is tempted to exclaim: 'There is but one honest man at Washington, and that man is old Ben Butler!'

"It may seem cynical, but it is at least half true, for the would-be leaders are for the most part humbugs or imbeciles, and it can not be said, whatever his deformities, that 'Old Ben' is either.

"H. W."

"III.

"The writer of this letter received the suggestions on which it was based from James G. Blaine, who was then Speaker of the National House of Representatives. Before committing them to paper they were confirmed by Oliver P. Morton, then a Senator in Congress from Indiana. Although differing in politics from the writer, their relations in the intercourse of private life were altogether amicable, and remained such to the end of the lives of the two Republican statesman.

"The publication of the letter gave the signal for a great outpouring of ridicule and abuse. As an active member of the Liberal group of 1872, and foremost among southern men in accepting the issues settled by the war of sections and urging their acceptance on the South, he had many intimates among the northern leaders and editors, with whom his word had come to pass as worth something. These embraced many of the regular Republicans. Those who best knew him knew that he was not writing loosely out of hand but by the card and under a sense of responsibility.

"The Grant crowd, led by Conkling, turned loose with a kind of fury. They were not prepared to spring. Their plans had not yet ripened. The precise nature of the Courier-Journal's publication, anticipating their conspiracy, hit home, and they suspected where it had come from and who were back of it. The anti-Grant editors, led by Whitelaw Reid and Murat Halstead, having returned to the fold and owing party allegiance, treated the writer with a kind of amiable persiflage. The phrase, 'between the sherry and the champagne,' was seized upon as an apt cue for the expression of political fidelity along with the exploitation of the real matter in hand. Nast, who was devoted to Grant, let himself go with cartoons as ugly as the Harpers, who were personal friends, would allow him.

"Never did a piece of newspaper writing less intentionally sensational prove more sensational. 'Between the sherry and the champagne' lasted half as long and served very much the same purpose to deprecate and discredit as 'through a slaughter-house to an open grave,' the one instance of mistaken forecast which for 20 years has done duty as the nonsequitur of those who would disdainfully describe and dispiteously use him. Thus may a single slip of tongue or pen outweigh a hundred predictions that never went astray. Yet, after all, 20 years is a long time for even a slip of tongue or pen to be remembered, and the writer has reason to thank his critics for a world of advertising and at the same time a substantial tribute to his parts of speech.

"The fire grew too hot even for Roscoe Conkling. Ridicule and abuse of the Courier-Journal gradually changed to serious consideration of the import of its warning. Sectional hatred, the passions of war, the lust for power and plunder had not yet deadened the northern sense of precedents and tendencies, had not yet hardened the North to the claims of liberty and law.

"Congress by a well-nigh unanimous vote passed a resolution declaring against a third term. The third termers had laid the nucleus of an organization in New York, Pennsylvania, and Illinois. But, in the teeth of an overwhelming demonstration of hostile sentiment, they wisely concluded that it was unsafe to proceed with this. Hence they failed to show themselves in any State and did not turn up in the national Republican convention in 1876. Not until Grant had gone out of the White House and made a spectacular journey around the world did the conspiracy take heart and move again.

"Gen. Grant's personal popularity was indisputable. Everywhere in Europe he had been well received. He came home glorified. The masses of the people seemed to rise to him. All that is being said now in favor of Roosevelt was then said with greater plausibility and better effect of Grant. For a while the prospect was radiant for the third termers.

"Conkling, who looked and loomed a kind of war god, made an inspiring leader and cut a superb figure. His speech nominating Grant in the national Republican convention of 1880 was an event. His colleagues, Cameron and Logan, were captains of political industry and past grand masters in the arts of machine-made public opinion. But the Republican Party—still true to Republican principles and institutions—would not have it. The third termers made a melodrama, where they are now making a circus, but they went down to defeat as the '306,' that being the highest vote they were able to cast in favor of the Man-on-Horseback and the exchange of constitutional government for a dictatorship and life tenure in the presidential office.

"As it was in 1880 shall it be in 1912. The moorings of liberty and law may be somewhat loosened in the commercialized understanding of a generation of money grubbers. Corrupt political methods may have disturbed the faith of many good people in free institutions. Fraud, greed, and force everywhere, the proclamation of war against bosses and bossism appeals to a universal sentiment. But deep down in the heart of men there are still the embers of liberty so long taken as a matter of course that they may need to be blown into life—vital still—the blood of the fathers yet flowing in the veins of the sons, the ideas of the founders in the minds of their descendants.

"Graft may not be exterminated by cant. A multitude of bosses can not be driven out by consolidating bossism into the keeping of a single boss. It is something worse than impudent charlatanry to propose it.

"They who do propose it are shallow fakers, self-seeking politicians in fact, and traitors at heart. *If their leader be of unsound mind, he should be taken to an asylum; if he be of sound mind, he should be whipped with scorpions from one end of the land to the other. That which was denied Grant will never be granted to Roosevelt. The proceeding is as transparent as it is ignoble. It is indeed as clumsy and as obvious as the old thimblerigging game of now-you-see-it and now-you-don't, which in the days of the Mississippi steamboat era, used to catch a few greenhorns upon the packets plying between Vicksburg and New Orleans. Yet, nevertheless, it took time and effort to drive the tin-horn gamblers off the river, as it will take time and effort to drive these tin-horn reformers off the Nation's reservation of liberty and law."

MINING LAWS OF ALASKA.

Mr. FLOOD of Virginia. Mr. Speaker, I am directed by the Committee on the Territories to call up the bill (H. R. 18033) "to modify and amend the mining laws in their application to the Territory of Alaska, and for other purposes." It is on the Union Calendar.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. I understand the gentleman has called up the bill H. R. 18033. If the House should now adjourn, would that be the unfinished business on next Calendar Wednesday?

The SPEAKER. Yes. The Clerk will report the bill.

The Clerk read as follows:

H. R. 18033. A bill to modify and amend the mining laws in their application to the Territory of Alaska, and for other purposes.

Mr. FLOOD of Virginia. Mr. Speaker, I understand that if the House adjourns now that the bill will be the unfinished business on next Wednesday?

The SPEAKER. That is the understanding of the Chair.

EXTENSION OF REMARKS.

Mr. HAYES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill which has just been passed—H. R. 38.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD on the bill which has just been passed. Is there objection?

There was no objection.

Mr. MACON. Mr. Speaker, I ask the same privilege.

The SPEAKER. The gentleman from Arkansas [Mr. MACON] asks the same privilege. Is there objection? [After a pause.] The Chair hears none.

Mr. MORSE of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, very briefly, in correction of a census bulletin.

The SPEAKER. To what bulletin does the gentleman refer?

Mr. MORSE of Wisconsin. A recent bulletin issued by the department, particularly with regard to agriculture in the State of Wisconsin.

The SPEAKER. The gentleman from Wisconsin [Mr. MORSE] asks unanimous consent to extend his remarks in the RECORD on a census bulletin which has reference to the agricultural development of Wisconsin. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD upon the bill H. R. 38, which has been passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I want to ask whether or not there is general consent given to extend remarks on this bill?

The SPEAKER. No, sir.

Mr. TAYLOR of Colorado. Then I ask unanimous consent to extend my remarks.

The SPEAKER. The gentleman from Colorado [Mr. TAYLOR] asks unanimous consent to extend his remarks in the RECORD on the bill just passed. Is there objection?

Mr. FLOOD of Virginia. Mr. Speaker, there was consent given on last Wednesday to everybody who spoke on the bill to extend their remarks for five legislative days after the passage of the bill.

The SPEAKER. Is the gentleman certain about that?

Mr. FLOOD of Virginia. Yes, sir.

Mr. MANN. It did not apply to anybody who had not then spoken.

Mr. TAYLOR of Colorado. Then I renew my request, Mr. Speaker.

The SPEAKER. The gentleman from Colorado [Mr. TAYLOR] asks unanimous consent to extend his remarks in the RECORD on the bill just passed. Is there objection?

There was no objection.

Mr. DIFENDERFER. Mr. Speaker, I ask the same privilege.

The SPEAKER. The gentleman from Pennsylvania [Mr. DIFENDERFER] asks the same privilege. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent for five days in which to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Alaska [Mr. WICKERSHAM] asks unanimous consent to have five legislative days in which to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FOSTER. Under the rules of the House, on Calendar Wednesday is it in order, when a bill is called up, to transact other business before going into Committee of the Whole?

Mr. MANN. Not except by unanimous consent.

The SPEAKER. All of these matters have to be construed in the light of reason and convenience, and such requests as are necessary might be admitted. The Chair will not let in any other bills, the Chair will state to the gentleman from Illinois.

ADJOURNMENT.

Mr. FLOOD of Virginia. Mr. Speaker, I move that when the House adjourns to-day it adjourn until to-morrow morning at 10.30 o'clock.

The SPEAKER. The gentleman from Virginia moves that when the House adjourns to-day it adjourn until 10.30 o'clock to-morrow morning.

Mr. MANN. Mr. Speaker, I make the point of order that under the rules of the House it is specifically provided that no motion for recess shall be made on Wednesday, and by a parity of reasoning the same thing should apply to adjournment.

Mr. FLOOD of Virginia. It is not a motion to recess.

Mr. MANN. If the gentleman asks unanimous consent, that would be another thing.

Mr. FLOOD of Virginia. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn until to-morrow morning at 10.30 o'clock.

The SPEAKER. The gentleman from Virginia asks unanimous consent that when the House adjourns to-day it adjourn until 10.30 to-morrow morning. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. FLOOD of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 35 minutes p. m.) the House adjourned until to-morrow, Thursday, April 25, 1912, at 10 o'clock and 30 minutes a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PETERS, from the Committee on Ways and Means, to which was referred the bill (S. 3160) to establish at Holeb, Me., a subport of entry in the customs collection district of Bangor, Me., and for other purposes, reported the same without amendment, accompanied by a report (No. 595), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 275) to make the special examiner of drugs, medicines, and chemicals an assistant appraiser at the port of Boston, reported the same without amendment, accompanied by a report

(No. 594), which said bill and report were referred to the House Calendar.

Mr. NORRIS, from the Committee on the Judiciary, to which was referred the bill (H. R. 16689) legalizing certain conveyances heretofore made by the Union Pacific Railroad Co., reported the same with amendment, accompanied by a report (No. 593), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 17404) granting an increase of pension to Marshall D. Watson; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 9457) for the relief of Bessie McAlister McGuirk; Committee on the Post Office and Post Roads discharged, and referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred, as follows:

By Mr. GOEKE: A bill (H. R. 23713) to regulate commerce with foreign countries and between the States, and to increase the facilities and efficiency of the postal service; to the Committee on Interstate and Foreign Commerce.

By Mr. TALBOTT of Maryland: A bill (H. R. 23714) creating the grade of chief pharmacist in the Navy; to the Committee on Naval Affairs.

By Mr. GUERNSEY: A bill (H. R. 23715) to permit the Grand Army of the Republic to have its journal of each meeting of the national encampment and its stationery printed free of cost at the United States Government Printing Office; to the Committee on Printing.

By Mr. BERGER: A bill (H. R. 23716) to provide for Government ownership of wireless telegraphs; to the Committee on Interstate and Foreign Commerce.

By Mr. HOBSON: A bill (H. R. 23717) to provide for the establishment of a memorial in celebration of a century of peace with England, in the form of an elementary utilitarian school for the practical education of the Anglo-Saxon mountaineers of the Southern Appalachian States—a memorial to Andrew Jackson and the patriots of the Southern Appalachian Mountains whose brave services and victory at New Orleans in 1815 strengthened the treaty of Ghent and marked the beginning of a hundred years of peace; to the Committee on Appropriations.

Also, a bill (H. R. 23718) to provide for the survey of a highway from New Orleans to the Canadian border; to the Committee on Agriculture.

By Mr. LAFFERTY: A bill (H. R. 23719) supplementing the joint resolution of Congress approved April 30, 1908, entitled "Joint resolution instructing the Attorney General to institute certain suits," etc.; to the Committee on the Public Lands.

By Mr. BLACKMON: A bill (H. R. 23720) providing for punishment of persons making false statements concerning mineral deposits on homesteads; to the Committee on the Public Lands.

By Mr. STEENERSON: A bill (H. R. 23721) for regulation of railway mail pay; to the Committee on the Post Office and Post Roads.

By Mr. ALEXANDER: A bill (H. R. 23722) to amend sections 4400 and 4488 of the Revised Statutes of the United States, relating to the inspection of steam vessels, and section 1 of chapter 379 of the United States Statutes at Large, approved June 24, 1910; to the Committee on the Merchant Marine and Fisheries.

By Mr. MONDELL: A bill (H. R. 23723) to amend enlarged homestead law; to the Committee on the Public Lands.

By Mr. NELSON: Resolution (H. Res. 512) to correct and protect the health of consumers of meats and meat food products shipped in interstate trade; to the Committee on Expenditures in the Department of Agriculture.

By Mr. HUMPHREYS of Mississippi: Joint resolution (H. J. Res. 309) appropriating money for the repair of levees on the Mississippi River; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDRUS: A bill (H. R. 23724) granting a pension to Thomas Hannon; to the Committee on Pensions.

Also, a bill (H. R. 23725) for the relief of Mary E. Kelly and Francis Kelly; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 23726) granting an increase of pension to Nathan M. Wells; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 23727) granting a pension to Catherine Kroft; to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 23728) for the relief of the estate of the late John H. Calef; to the Committee on War Claims.

By Mr. BROWN: A bill (H. R. 23729) for the relief of Charles Price; to the Committee on War Claims.

Also, a bill (H. R. 23730) granting a pension to George Simpson; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 23731) granting an increase of pension to James A. Mullen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23732) granting an increase of pension to John B. Cothran; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 23733) granting a pension to Charles E. Kilby; to the Committee on Pensions.

By Mr. CURRY: A bill (H. R. 23734) granting a pension to Pedro Pena; to the Committee on Invalid Pensions.

By Mr. DAVIDSON: A bill (H. R. 23735) granting a pension to Kittie E. Farr; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 23736) granting an increase of pension to Aaron Frost; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23737) granting an increase of pension to Adelbert Knight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23738) granting an increase of pension to Reuel A. Hollis; to the Committee on Invalid Pensions.

By Mr. GREGG of Pennsylvania: A bill (H. R. 23739) granting a pension to Mary Roberts; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 23740) granting a pension to Sarah Gunsolly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23741) granting a pension to Margaret E. Briggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23742) granting an increase of pension to Roswell Corbett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23743) to remove the charge of desertion and grant an honorable discharge to George W. Noyes; to the Committee on Military Affairs.

By Mr. HEALD: A bill (H. R. 23744) granting an increase of pension to Ruth A. Hazzard; to the Committee on Invalid Pensions.

By Mr. HUGHES of Georgia: A bill (H. R. 23745) granting a pension to Swain M. Bunn; to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 23746) granting an increase of pension to Joseph Williams; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 23747) granting an increase of pension to Harrison Ratliff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23748) granting an increase of pension to George L. Davis; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 23749) granting an increase of pension to Perry Hanshaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23750) for the relief of the widow and heirs of Martin Hughes, deceased; to the Committee on War Claims.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 23751) granting a pension to Louisa Gunn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23752) granting an increase of pension to David B. Wolfe; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 23753) granting an increase of pension to Thomas J. Denny; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 23754) for the relief of the heirs of David P. Coffey, deceased; to the Committee on War Claims.

By Mr. O'SHAUNESSY: A bill (H. R. 23755) granting a pension to Annie E. Baker; to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 23756) granting a pension to Margaret Fynaut; to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 23757) for the relief of the legal representatives of George Hicks, deceased; to the Committee on War Claims.

By Mr. SPEER: A bill (H. R. 23758) granting an increase of pension to Lester R. Warner; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 23759) to pay the heirs of Jerome Parker Sullivan, deceased, $900, the value of property taken from him by troops of the United States Army; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON of Minnesota: Petition of John Costello & Co. and 3 others, of Kellogg, Minn., against extension of parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. ANDRUS: Petition of citizens of Cortland, N. Y., for building one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. BARNHART: Petition of citizens of Elkhart, Ind., for old-age pensions; to the Committee on Pensions.

By Mr. BATES: Petition of Fulton Manufacturing Co., of Erie, Pa., against passage of House bill 18788, to regulate motor boats, etc.; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Business Men's Exchange, Erie, Pa., favoring passage of House bill 17756, for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of Division No. 32, Order of Railway Conductors, Meadville, Pa., favoring passage of workmen's compensation bill (H. R. 20487); to the Committee on Interstate and Foreign Commerce.

By Mr. BERGER: Petition of citizens and firms in Milwaukee, Wis., against passage of bills to prohibit the retail sale of wine, beer, and liquor in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BURNETT: Memorial of the Medical Society of Mobile County, Ala., for legislation increasing the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNS of Tennessee: Papers accompanying bill for increase of pension to John B. Cothran and James A. Mullen, of Nashville, Tenn.; to the Committee on Invalid Pensions.

By Mr. CALDER: Memorial of Marine Firemen, Oilers, and Water Tenders' Union of the Atlantic and Gulf, for legislation to promote the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Farmers' National Committee, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

Also, petition of Strauss Bros., of Chicago, Ill., protesting against House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petition of Schwabacher Bros. & Co., of Seattle, Wash., for enactment of House bill 4667; to the Committee on Interstate and Foreign Commerce.

Also, memorial of North Side Board of Trade, in the city of New York, for improvement of a certain portion of Harlem River; to the Committee on Rivers and Harbors.

Also, petition of the Horse Aid Society, of New York, and the Society for the Prevention of Cruelty, of Muskegon, Mich., favoring passage of House bill 17222, to regulate interstate transportation of immature calves; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the board of directors of the San Francisco Chamber of Commerce, San Francisco, Cal., against the operation through the Panama Canal of any railroad owned or controlled ship engaged wholly or partly in coastwise traffic; also urging enactment of laws that will exempt from canal tolls all ships sailing under the American flag engaged in coastwise traffic; to the Committee on Interstate and Foreign Commerce.

Also, petition of Carl Vogis Sons, importers and packers of leaf tobacco, of New York, favoring passage of House bill 22766, prohibiting use of trading coupons; to the Committee on Ways and Means.

Also, petition of the National Board of Trade, Washington, D. C., protesting against all bills to amend the patent law; to the Committee on Patents.

Also, petition of E. & W. S. Finley, importers and manufacturers, of New York, against bill to alter tariff to permit returning tourists to bring in free of duty goods in value of $300 instead of $100; to the Committee on Ways and Means.

By Mr. COX of Ohio: Memorial of Ohio Society, Sons of the Revolution, for publication of records relating to the War of the Revolution; to the Committee on Military Affairs.

By Mr. ESCH: Petition of the Cream City Brewing Co., of Milwaukee, Wis., opposing legislation to prohibit the retail sale of wine, beer, and liquors in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of citizens of the State of Wisconsin, favoring the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. FORNES: Petition of the Stationers' Board of Trade, relative to proposed patent legislation; to the Committee on Patents.

Also, memorial of the U. T. Hungerford Brass & Copper Co., relative to operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSTER: Petition of G. T. Welling and other citizens of Germantown, Ill., against a parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of the Society of the Sons of the Revolution in the State of Illinois, favoring the passage of Senate bill 271, relating to collection and publication of archives of Revolutionary War; to the Committee on the Library.

Also, petition of the Seventy-second Regiment Illinois Infantry Volunteer Society, of Chicago, Ill., in favor of the passage of House bill 14398, for the relief of Miss Annie Robb; to the Committee on Invalid Pensions.

By Mr. GOULD: Petition of Silver Harvest Grange, No. 66, Waldo, Me., favoring passage of House bill 19133, for postal-express service by the Government; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Petitions of residents of San Francisco, Cal., relative to water rights at Waianae-Uka, island of Oahu, Hawaii; to the Committee on Insular Affairs.

Also, petitions of the Charles Nelson Co. and the Hammond Lumber Co., of San Francisco, Cal., opposing House bill 21100; to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce of San Francisco, Cal., favoring passage of bill for 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, petition of the Chamber of Commerce of San Francisco, Cal., requesting the United States Government to recognize the new Republic of China; to the Committee on Foreign Affairs.

By Mr. McKELLAR: Petition of citizens of Somerville, Fayette County, State of Tennessee, against passage of any parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. MURRAY: Petition of the Second Congregational Church of Dorchester, Suffolk County, Mass., favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. RAKER: Petition of citizens of California, asking congressional investigation of the arrest of Messrs. Warren, Wayland, and Phifer, editors of the Appeal to Reason; to the Committee on the Judiciary.

By Mr. REILLY: Petition of F. C. Leas, of Salem, Va., for passage of House bill 21480; to the Committee on Coinage, Weights, and Measures.

By Mr. SABATH: Memorial of the International Dry-Farming Congress, urging that the unsurveyed portions of the public domain be surveyed, etc.; to the Committee on the Public Lands.

Also, memorial of the Council of the City of Pittsburgh, remonstrating against extension of the permit to build a highway bridge over the Monongahela River in the city of Pittsburgh; to the Committee on Interstate and Foreign Commerce.

Also, petition of American Cotton Manufacturers' Association, relative to proposed legislation affecting the sale and purchase of cotton on exchanges; to the Committee on Agriculture.

Also, memorial of the Chicago Veterinary Society, for enactment of House bill 16843, to consolidate the Veterinary Service of the United States Army and to increase its efficiency; to the Committee on Military Affairs.

Also, petition of the Municipal Council of Chicago, Department of Illinois, United Spanish War Veterans, Chicago, Ill., favoring passage of House bill 17470, providing pensions for widows and minor children of Spanish War veterans; to the Committee on Pensions.

By Mr. SLAYDEN: Petition of citizens of Brownwood, Tex., opposing the enactment of any parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. SAMUEL W. SMITH: Petition of citizens of Detroit, Mich., and elsewhere, requesting immediate enactment of bill to reduce postal rates, to improve the postal service, and to increase postal revenues; to the Committee on the Post Office and Post Roads.

By Mr. SPEER: Papers to accompany House bill 22452, granting an increase of pension to John A. Reeher; to the Committee on Invalid Pensions.

By Mr. SULZER: Petition of the Commercial Club of Ketchikan, Alaska, protesting against the raising of the rate of post-

office box rents in said town; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Hazleton, Pa., for enactment of House bill 14, providing for a general parcel-post system; to the Committee on the Post Office and Post Roads.

Also, memorial of the Chamber of Commerce of San Diego County, protesting against House bills 11372 and 20576, to prohibit the towing of log rafts or lumber rafts through the open sea; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAGGART: Petition of citizens of the State of Kansas, for enactment of House bill 21225; to the Committee on Agriculture.

By Mr. TAYLOR of Alabama: Petition of Birmingham Division, No. 186, Order of Railway Conductors, for enactment of the proposed employers' liability and workmen's compensation act; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of S. A. McNeil and 15 other citizens of Richwood, Ohio, asking for the passage of House bill 23107, granting an increase of pension to John C. Babbs; to the Committee on Invalid Pensions.

Also, petition of Frank S. Ansley and 15 other veterans of the Spanish-American War, of Kenton, Ohio, asking for the passage of House bill 17470, to pension widows and minor children of any officers or enlisted men who served in the War with Spain or the Philippine insurrection; to the Committee on Pensions.

By Mr. WILSON of New York: Petition of the Stationers' Board of Trade, relative to proposed patent legislation; to the Committee on Patents.

Also, petition of the North Side Board of Trade, for improvement of a certain portion of Harlem River; to the Committee on Rivers and Harbors.

Also, petition of Brooklyn Council, No. 23, Daughters of America, for incorporation of a literacy test in the immigration laws; to the Committee on Immigration and Naturalization.

Also, memorial of the National Grange, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *April 25, 1912.*

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes:

Clara J. Scott, widow of William Scott, deceased, *v.* United States (S. Doc. No. 613);

Lucinda Shanks *v.* United States (S. Doc. No. 612);

Mark H. Sherman *v.* United States (S. Doc. No. 611);

William N. Shibley *v.* United States (S. Doc. No. 610);

Sylvester M. Snell *v.* United States (S. Doc. No. 609);

Harley S. Sprague *v.* United States (S. Doc. No. 608);

Ella K. Piatt, widow of Don Piatt, deceased, *v.* United States (S. Doc. No. 607);

Alexander Sholl *v.* United States (S. Doc. No. 606); and

John T. Taylor *v.* United States (S. Doc. No. 605).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19212) making appropriation for the Diplomatic and Consular Service for the fiscal year ending June 30, 1913.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 1647. An act to amend an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes";

H. R. 8784. An act to supplement the act of June 22, 1910, entitled "An act to provide for agricultural entries";

H. R. 12211. An act to amend the act of February 18, 1909 (25th Stats. L., 626), entitled "An act to create the Calaveras Big Tree National Forest, and for other purposes";

H. R. 12623. An act to incorporate the American Numismatic Association;

H. R. 18792. An act for the relief of homestead entrymen under the reclamation projects in the United States;

H. R. 20286. An act authorizing the fiscal court of Pike County, Ky., to construct a bridge across Russell Fork of Big Sandy River;

H. R. 20491. An act authorizing the Secretary of the Interior to grant further extension of time within which to make proof on desert-land entries;

H. R. 21170. An act granting to El Paso & Southwestern Railroad Co., a corporation organized and existing under the laws of the Territory and State of Arizona, a right of way through the Fort Huachuca Military Reservation, in the State of Arizona, etc.;

H. R. 21960. An act to authorize the Port Arthur Pleasure Pier Co. to construct a bridge across the Sabine-Neches Canal, in front of the town of Port Arthur; and

H. R. 22642. An act providing for the protection of the interests of the United States in lands and waters comprising any part of the Potomac River, the Anacostia River, the Eastern Branch, and Rock Creek, and lands adjacent thereto.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the Woman's Christian Temperance Union of Sparta, Ill., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry representatives of the remaining Pokagon Tribe of Pottawatomie Indians, of Michigan and Indiana, remonstrating against the so-called Chicago Harbor project, which was referred to the Committee on Commerce.

Mr. WETMORE presented resolutions adopted by the committee of conference of the Rhode Island State Federation of Women's Clubs, favoring the appointment of a Federal commission on industrial relations, which were referred to the Committee on Education and Labor.

Mr. WORKS. I present two short telegrams in the nature of memorials, which I ask may lie on the table and be printed in the RECORD without reading.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the RECORD, as follows:

[Telegram.]

LOS ANGELES, CAL., *April 24, 1912.*

Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.:

Regret committee reported Owen bill favorably. Consider bill even as amended serious menace to liberty of people in United States. Would be entering wedge for other objectionable and harmful legislation of like character. Hope you will do all in your power to defeat it.

THOS. EARLEY,
Chairman Los Angeles County Highway Commission.

[Telegram.]

SAN FRANCISCO, CAL., *April 24, 1912.*

United States Senator JOHN D. WORKS,
Senate Chamber, Washington, D. C.:

I am opposed to the Owen bill, because it gives official countenance and support to one school or branch of medicine and because the position of that school is uncertain and chaotic, its conclusions and practice continuously changing, as is demonstrated by the medical history of the past decade.

D. C. FARNHAM, D. O.,
Past President California Osteopathic Association.

Mr. WORKS presented a memorial of the Chamber of Commerce of San Diego County, Cal., remonstrating against the enactment of legislation to prohibit the towing of log rafts or lumber rafts through the open sea, which was referred to the Committee on Commerce.

Mr. GALLINGER presented a memorial of Local Grange No. 204, Patrons of Husbandry, of Charlestown, N. H., remonstrating against the enactment of legislation to permit the coloring of oleomargarine in imitation of butter, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Grange No. 204, Patrons of Husbandry, of Charlestown, N. H., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. HITCHCOCK presented a memorial signed by 3,000 citizens of Nebraska, remonstrating against the passage of the so-called Owen bill to create a bureau of public health, which was ordered to lie on the table.

He also presented a petition of Custer Center Grange, Patrons of Husbandry, of Custer County, Nebr., praying for the